

MHLA110005192021



**Order below Exh.59 in RCS No.570/2021**

**Afsanabi Vs. Md. Rafi.**

By this application defendant Nos.1 to 3 and 6 have requested to set aside the no WS order passed against them, on the grounds stated in the application. Plaintiff has filed her say and raised strong objections. Perused application and say. Heard both the sides. Record shows that defendant Nos.1 to 3 and 6 appeared through their counsel and have sought adjournments for filing their WS / say. Record further shows that their application at **Exh.23** for issuing directions to plaintiff to provide copy of documents for preparing their WS came to be allowed but this order was never complied with. Therefore, the fault for causing delay cannot be attributed to defendant Nos.1 to 3 and 6. Considering the nature of suit, reliefs claimed and grounds stated in the application, it is desirable that defendant Nos.1 to 3 and 6 be permitted to file their WS. No prejudice will be caused to plaintiff. Hence, I pass following order:-

**ORDER**

1. No WS order dated 18/06/2023 passed against defendant Nos.1 to 3 and 6 is set aside.
2. The WS filed by defendant Nos.1 to 3 and 6 be taken on record.
3. No order as to costs.

Date : 31/10/2023

(Ashish B. Marlecha)  
Civil Judge (Sr.Dn.),  
Nilanga, Dist. Latur.