

ORDER BELOW EXH.43 IN RCS NO.65/2025
GANESH VS. COLLECTOR & ORS.

1. This is an application for setting aside 'ex-parte order' passed against defendant No.2.
2. Read the application and say filed thereon. Heard the learned counsel for both sides.
3. It is pertinent to note that reason mentioned in the application is supported by the affidavit of defendant No.2. Further *Audi Alteram partem* i.e. no one should be condemn unheard is basic principle of the natural justice. In these circumstances, no serious prejudice will be caused to the plaintiff, if 'ex-parte order' passed against defendant No.2 is set-aside. Hence, considering the reasons mentioned in the application and to decide the case on merits, application deserves to be allowed. Thus, I pass the following order:

ORDER

Application at Exhibit No.43 is hereby allowed.

Dt.:- 04/12/2025

Jt. Civil Judge Sr. Dn., Nilanga.