

MHLA110007902023



**ORDER BELOW EXHIBIT NO.41 IN
REGULAR CIVIL SUIT NO.268/2023
(Passed on 10.06.2024)**

This is an application for setting aside no written statement order passed against defendant No.1 and 2.

2. Read application and say filed thereon. Heard Learned Counsel for both sides.

3. The application for setting aside no written statement order is supported by the affidavit of defendants. *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 no written statement order passed against defendants 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

- 1) Application at Exhibit No.41 is hereby allowed.

Nilanga
Dt.:- 10.06.2024

(Smt. V. D. Bhosale)
Jt. Civil Judge Sr. Dn., Nilanga