

ORDER BELOW EXH-17 IN R.C.S. NO.409/2020
CNR No.-MHLA120021622020

- 1) By filing this application defendants No.1 to 8 prayed to set aside no written statement order passed against them and accept their written statement.
- 2) Plaintiff objected the present application by filing his reply stating that no sufficient cause has been shown by the defendants to condone the delay caused for filing written statement. On these grounds plaintiff prayed to reject the application.
- 3) Perused the application and say. Also perused record of the case. Heard learned advocates for plaintiff and defendants.
- 4) This is suit for declaration of ownership and perpetual injunction in respect of agricultural properties. The record shows that present defendants duly served with summons on 08.12.2020 and no written statement order has been passed against them on 22.03.2021 and on same day the present application has been filed. It is argued that on behalf of plaintiff that, due to spread of Corona Virus and agricultural work defendants could not file their written statement within time. It appears that there is delay on the part of defendants for filing written statement. But after considering the nature of the suit, reason of Lockdown due to pandemic of Covid-19 and in order to decide the suit on the merit it would require to give once chance to the defendant to defend the suit on merit. In order to have natural justice in the case, I have no hesitation to allow the application. In the result I pass the following order.

-: O R D E R :-

Application at Exh.17 is allowed.

Sd/-

(D.R. Kulkarni)

Date-04/09/2021

3rd Jt. Civil Judge, J.D., Nilanga.
