

Regular Civil Suit No.174/ 2018
(Ulfatbee Shaikh Vs. Sultan Shaikh & oths.)

CNR NO-MHLA14000322-2018

ORDER BELOW EXH. 19

This is an application filed by defendant No.1 and 2 with prayer to set aside no W.S. order passed against them.

2) Heard Learned advocates for both sides. Perused application and say of plaintiff at (Exh.22). According to defendants, due to illness of defendant No.2 she was taking medical treatment at Mumbai therefore, they could not attend the Court to file their written statement within time and prayed to allow the application. However, on behalf of plaintiff it is contended that, there is no document of illness of defendant No.2 on record. Considering contentions of both parties and ground for delay and nature of the suit, it is proper to give full opportunity to both parties of being heard. Therefore, in the interest of justice no W.S. order passed against defendant No.1 and 2 is set aside and their written statement is accepted subject to cost of Rs.500/- (Rupees five hundred) to other side which is to be paid or deposit on or before next date.

16th October, 2019
Ausa.

(D.M. Zate)
Civil Judge Junior Division, Ausa.