

Order below Exh.18 in RCS No.374/2016

(Kavita Vs. Surendrashiha & oths.)

1. Read the application and say filed thereon. Heard the learned advocates for both sides.

2. This is an application filed by defendant No.1 for setting aside no W.S. order passed against him. It is only contention of defendant that, he could not get the important documents and information and as he is ill therefore, he failed to file W.S. within limitation. However, plaintiff contended that, the reasons mentioned in the application are false and he purposefully avoided to file W.S.

3. Perused the records of the case. It is seen that, defendant failed to file W.S. within limitation, however, There is delay in filing this application. Even though to adjudicate the case on merits, it will be just and proper to accept the W.S. subject to cost. Hence, the following order.

Order

1. Application is allowed and W.S. is accepted subject to cost of Rs.100/- (Rs.one Hundred only).

Date : 23/01/2018

(V. D. Bhosale)
Civil Judge J. D. AUSA.