

ORDER BELOW EXH.19

1. This application is filed by defendant No.5 for accepting written statement. The Plaintiffs has filed reply on said application and opposed the same.

2. It is submitted by defendant No.5 that he could not file written statement within period of limitation due to non-availability of necessary documents for preparing written statement. Lastly, he has prayed for acceptance of written statement. Per contra, it is submitted by the plaintiff that defendant No.5 failed to file written statement within a period of limitation. There is no sufficient reason to accept written statement. So, application be rejected.

3. Perused record of case. It appears from record that defendants failed to file written statement within a period of limitation. Record also shows that no specific order of No W.S. is passed against defendant No.1 to 3. Due to Covid-19 Court was functioning as per S.O.P. Court is regularly functioning from 02.08.2021. Hon'ble Supreme Court extended limitation as per order dated 10/01/2022 in Suo Motu W.P. No.3 of 2020. There is sufficient reason for accepting written statement. Subject matter is immovable property. Considering the rights of parties in subject matter & for the purpose of natural justice, it is necessary to accept written statement. So, I pass following order.

ORDER

Application is allowed and W.S of defendant No.5 is accepted on payment of costs of Rs. 200/- to plaintiff.

Date : 03.03.2022.

(P.P. Kale)
Civil Judge Junior Division,
Chakur.