

CNRNO-MHLA15000-20

**ORDER BELOW EXH.52.**

1. This application is filed by defendant no.1/1 to 1/7 for filing say and W.S. Plaintiff has opposed said application by filing reply.

2. It is submitted by defendant that summons was duly served to them on 05.10.2021 and 30.12.2021 respectively. No specific no W.S. order is passed against them. Deceased defendant no.1 filed his written statement on record. So said written statement may kindly be treated as a written statement of present defendant no.1/1 to 1/7. Defendants filed pursis to treat said written statement of deceased Bashir be treated as written statement of defendant no.1/1 to 1/7. Defendants have valuable right in a subject matter. So, permission may kindly be given to defendants to file say and W.S. as per pursis dated 16.06.2022.

3. Per contra, it is submitted on behalf of plaintiff that, defendants failed to file W.S. within limitation. So, it is necessary to reject the application. Perused application and

record. It appears that present defendant failed to file W.S. within limitation. It is not disputed that they are legal heir of deceased of defendant no.1 and they are brought on record. Record also shows that, deceased defendant no.1 filed W.S. vide Exh.20. Considering the subject matter and right of parties it is necessary to give permission to defendant no.1/1 to 1/7 for filing written statement as per pursis dated 16.06.2022. To decide matter on merit and for the purpose of justice it is necessary to allow this application Hence, I pass following order.

	<u>ORDER</u>
	Application is allowed and permission has been given to defendant 1/1 to 1/7 to file written statement as per pursis dated 16.06.2022 on payment of costs of Rs.-500/- to plaintiff.

Date : 25.08.2022.

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