

**Order below Exhibit. 24.**

1. This is an application filed by defendant no. 1 to 4 and 6 for taking their W.S. on record by condonation of delay for filing W. S. on record. According to them, non availability of old documents, they could not file W.S. within time. There is 86 days delay in filing W.S. on record. Therefore, they prayed to allow the application and for condonation of delay for 86 days.

2. Plaintiffs filed their say on overleaf of the application contending that, the application is not legal and reasons mentioned are not justifiable. Defendant appeared on 20.04.2019 and only one time they have preferred application for adjournment. They have not filed any application for granting time to collect the document. The summons served upon defendant on 10.4.2019, though they have not filed written statement within time, therefore defendant have no interest in the suit. So they prayed for rejection of this application.

3. Considering the submissions made on behalf of both the parties and on perusal of the records of case it is seen that summons was duly served. However, defendant no.1 to 4 and 6 failed to appeared in the suit and failed to file WS within limitation. Ultimately on 13.08.2019 no written statement order was passed on exh.1. There is delay in filing W.S. on record. Even though to adjudicate the case on merits and to give proper opportunity to defendant no.1 to 4 and 6 it will be just and proper to allow the application subject to cost. In the interest of justice chance should be given to defendant no.1 to 4 and 6. The damage sustained by plaintiff may be cured by imposing proper costs. Hence, following order.

**: Order :**

1. Application is allowed subject to costs of Rs. 200/- each, to be paid to plaintiffs.
2. The delay for filing W.S. is hereby condoned accordingly and W.S. of defendant no.1 to 4 and 6 be taken on record after payment of cost.
3. No W.S. order against defendant no.1 to 4 and 6 be set aside accordingly after payment of costs.

Date 19.08.2019

( Yogesh D. Koinkar )  
Jt. Civil Judge(Jr.Dn.), Chakur