

CNR-MHLA15000315-2021

**ORDER BELOW EXH. 11.**

1. This application is filed by defendant for accepting W.S. of defendant. The plaintiff has opposed said application by filing reply.
2. It is submitted by defendant that permission may kindly be given to file W.S. Per contra, the plaintiff has opposed said application.
3. It is submitted by defendant that, there is delay to file written statement due to non availability of some important document for preparation of written statement. Due to said reason defendant could not file written statement. There is delay to file written statement. So written statement may kindly be accepted. Per contra it is submitted by plaintiff that, defendant has not filed written statement within limitation. There is no proper reason to accept written statement. So application be rejected on costs.
4. Perused record of case. It appears that the plaintiff has filed suit for declaration and injunction. Subject matter is immovable property. It appears that defendant failed to file W.S. within limitation. Consider the circumstance of Covid-19 in the year 2021 and direction of Hon'ble Supreme Court in respect of extension of time limit to file in respect of court matter. For decide matter on merit and for the purpose of natural justice, it is necessary to condone delay and accept W.S. of

defendant. Hence, I pass following order.

ORDER

Application (Exh.11) is allowed and delay is condoned
and written statement is accepted on costs of Rs. 200/-.

Date : 17.06.2022.

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