

ORDER BELOW EXH.15 SPL CS NO.132/2023
WAMAN BANDGAR VS. SHIVAJI PATIL.
CNR NO. MHLA170020202023.

The defendant has filed application for setting aside “No-WS.” order passed against him on 04/01/2024.

Perused the say of the plaintiff. He has objected the application on the grounds that, defendant failed to file his written statement within stipulated time, though granted sufficient opportunity. It is further submitted by the plaintiff that, the defendant has assigned medical reason for not filing his written statement in stipulated period. However, the defendant has not filed any medical document. Hence, the plaintiff prayed to reject the application.

Heard learned counsels for both the parties. Perused the record. Considering reasons assigned in the application, it is necessary to grant an opportunity to defendant to file his written statement to put up his case. Allowing application of the defendant will not cause any prejudice to the plaintiff on the contrary it will help the Court for just decision of the suit. Hence, the application of the defendant is liable to be allowed. Therefore, I proceed to pass further order below Exh-1.

Date :- 31/01/2024.

(P. I. Mokashi)
Civil Judge Senior Division,
Ausa.

ORDER BELOW EXH.1 SPL CS NO.132/2023
WAMAN BANDGAR VS. SHIVAJI PATIL.
CNR NO. MHLA170020202023.

1. In view of order passed below Exh15, "No-W.S" order passed against the defendant on 04/01/2024 is set aside.
2. No order as to cost.

Date :- 31/01/2024.

(P. I. Mokashi)
Civil Judge Senior Division,
Ausa.