

Sursing Bavajya Valvi

Vs.

Sardar Bathya Valvi

ORDER BELOW EXH. NO. 19

(Passed on 27.04.2026)

By this application defendant is seeking permission for filling written statement. Record shows that Defendant appeared in this matter on 28.07.2025. Thereafter, he granted time till 25.08.2025 for filling W/s. However they failed to submit their W/s within 90 days i.e. till 10.11.2025. Hence, this Court vide order below Exh. 01 dated 10.11.2025 passed without w/s order against defendant. Later on 06.04.2026 defendant moved present application and sought permission to file W/s on the ground that important documents did not find him on time. On the other hand, the plaintiff opposed this application on the grounds that reasons assigned are false and not justifiable, defendant deliberately caused delay in filing w/s and hence, it is liable to be rejected with costs.

2) Heard both sides. Perused application and say. Record shows that defendant duly served with the suit summons on 05.06.2025. Thus, thereafter about 10 month and 01 day delay caused by the defendant to file written statement. However, considering the fact that the defendant is very interested to contest the claim, I am of the view that fair chance needs to be given to them. So also, getting adjudication on merits after contesting at the fullest, would be beneficial to both parties. Thus, I do not find any hesitation to allow this application. Be that as it may, the defendant prolonged the proceeding cannot be ruled out, hence he is liable to pay the compensatory costs. I am of the view that compensatory costs of Rs. 500/- (Five Hundred Rupees) would be sufficient and justifiable. Accordingly, in the interest of justice, I pass following order:

ORDER

- i) The application is allowed subject to the cost of Rs. 500/- (Five Hundred Rupees) be paid to the plaintiff.
- ii) The written statement submitted along with the application be taken on record, after compliance of.

Place: Dhadgaon

Date: - 27.04.2026

(B. S. Wadhai)

Civil Judge Jr. Div., Dhadgaon