



ORDER BELOW EXH-51

Perused application. The defendant Nos.01 to 03 submitted that, suit was fixed for taking steps against the defendant Nos.05 and 06. These defendants could not file written statement within a period of 90 days due to various litigation between plaintiffs and them. They submitted that, due to Pandemic of Covid-19 and due to lock-down, they could not attend court. Therefore, an order of 'No Written Statement' be set-aside. They prayed to allow application.

02. The plaintiffs have filed their say and submitted that, these defendants appeared on 15.04.2019. No Written Statement order came to be passed on 26.08.2019. Lock-down started on 25.03.2020. Therefore, delay appears to be intentional. Hence, heavy costs be imposed.

03. Heard both the learned advocates. Perused record. It appears that, on 26.08.2019, 'No Written Statement order' came to be passed. On 20.01.2021, the defendants applied for setting it aside. It appears that, matter was pending for steps against the defendant Nos.05 and 06. Therefore, considering the reasons shown in application, it will be proper to grant an opportunity to contest matter on merit. Therefore, considering the delay to apply for order, I pass following order :

ORDER

- 01 Application is allowed.
- 02 No written-statement order is hereby set-aside subject to costs of Rs.1000/-.

Date : 20. 10. 2021.

(N. S. Budruk)
Civil Judge Sr. Division,
Biloli.

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C E R T I F I C A T E

I affirm that the contents of this P.D.F. file Judgment are same word to word, as per the original Judgment.

Name of the Stenographer : Syed Iftekharuddin Arifuddin
Court Name : Court of Civil Judge S.D. Biloli
Date : 20. 10. 2021
Judgment signed by the Presiding Officer on : 20. 10. 2021
Judgment/Order uploaded on : 20.10.2021