

MHND060009472025



R.C.S. No.117/2025,
Gangadhar & ors Vs.
State & Ors.

ORDER BELOW EXH-23

This application is preferred by defendant No.3 to 10 to set-aside 'No W.S.' order passed against them. It is submitted that due to heavy rainfall and non available of vehicle, so, they could not approach before the Court. Therefore, 'No W.S.' order came to be passed. They prayed to allow the application. The plaintiff raised objection by filing his say on present application.

02. Heard both learned Advocates at length.

03. The perusal of the application goes to show that due to heavy rainfall and non available of vehicle, the defendant No.03 to 10 could not reach the Court within the time to file written statement. These submissions are supported by the affidavit. The reasons seems to be probable. Considering the rules of natural justice i.e. principle of audi alteram partem, no party shall be condemned unheard. In result, by following the principle of natural justice, the application deserves to be allowed. Hence, the order :

ORDER

The 'No W.S.' order passed today against defendant No.03 to 10 stand set-aside.

Date : 25. 09. 2025.

(A.A.K. Shaikh)
Civil Judge Sr. Division,
Biloli.

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CERTIFICATE

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 : A.K.Shaikh

Court Name : Court of Civil Judge S.D. Biloli

Date : 25. 09. 2025

Judgment signed by the Presiding Officer on : 25. 09. 2025

Judgment/Order uploaded on : 25.09.2025