

ORDER BELOW EXH.50.
(Dated 09.07.2025)

This is the application filed by defendant no. 7 for permission to take his Written Statements on record. Plaintiffs filed their say over the leaf. Perused the application and say alongwith the record. Heard both the sides.

Defendant no. 7 submitted that the delay has been caused to file his written statement. However, the delay is unintentional and caused due to illness of granddaughter of defendant no. 7 who resides at Mumbai and also due to illness of his wife. Meanwhile, some time spent when he had been to Uttar Pradesh as his uncle died due to old age. He was also ill due to Chikenguniya and Dengue and time required to get recovered. On the other side, the plaintiffs submitted that none of the reason mentioned by the defendant is considerable to cover such a long delay. Thus, the delay is made only to prolong the matter. Thus, application be rejected.

On perusal it appears that the health and medical reason is mentioned by defendant no. 7. He is about 70 years old. Defendant no. 7 appeared on 12.03.2024. He was required to file his written statement within 30 days from then. However, this application has been filed on 15.01.2025. Thus, much delay has been made by defendant no. 7. However, he is ready with his written statement. Hence, in order to decide the matter on its merits, he must get an opportunity. However, for delay caused, he should pay the cost.

R.C.S No. 19/2024
Kavita Jain vs. Rameshchand Jain

Considering all the facts the following order.

ORDER

The application is allowed subject to cost of Rs. 400/- to be paid to other side.

Saoner.

(N. V. Ranveer)

Date: 09.07.2025.

2nd Jt. Civil Judge Junior Division,

Saoner, Dist. Nagpur.