

**Spl. Civil Suit No. 48/2024**  
**Raju Vs. Raju + 15**

**COMMON ORDER BELOW EXH. 51 & 52**  
( Passed on this 6<sup>th</sup> of October 2025)

Read the applications, say and record. Heard. Defendant Nos. 1 and 3 have filed application Exh. 51 seeking permission to file W.S. Defendant No. 1 has filed application Exh. 52 seeking permission to file W.S. Plaintiffs have opposed both applications. Plaintiffs submit that these defendants have purposefully made delay in filing W.S. Therefore, applications be rejected by imposing heavy cost. Question is whether these applications can be allowed ?

2] Record shows that defendant No. 1 and 3 received suit summons on 24-05-2024 and 18-05-2024. They appeared on 10-06-2024 and applied for time to file W.S. It is submitted that previous Ld. Adv. Smt. Bhure did not file W.S. for defendant Nos. 1 and 3. Therefore, defendant No. 1,3 and 8 met and engaged Ld. Adv. Shri Mandavkar. Shri. Mandavkar drafted W.S. for defendant Nos. 1,3 and 8 and has placed it on record on 6-7-2024. However, since Adv. Smt. Bhure was absent , her no objection could not be taken on that date and as such V.P. was not taken on record. Defendant No. 8 received suit summons on 24-05-2024. Suit is posted for exparte against her. But no such order is passed. V.P. has been filed by Shri. Mandav for defendant Nos. 1,3 and 8 vide Exh. 49 on 18-12-2024. Record shows that composite W.S./ say for defendant Nos. 1, 3 and 8 has already been placed on record on 6-7-2024. However, since there was no V.P. on record, it has not been marked with Exh. number. But, such copy is on record. Defendant Nos. 1,3, and 9 were served on 24-05-2024. 18-05-2024 and 24-05-2024 respectively. Their proposed W.S. has been kept on record on 6-7-2024 i.e. within 90 days. The main prayer in the suit shows that as per the plaintiffs, though there is no partition, some of the defendants have executed registered sale-deeds. These registered sale-deeds are challenged in this suit. Plaintiffs are claiming right of preemption. Considering such nature of the suit, it appears to me that W.S. of these defendants if taken on record will facilitate the just and effective disposal of this suit. Therefore, I pass following order.

**ORDER**

Applications Exh. 51 and 52 are allowed.

Umred.  
Dated: 06/10/2025.

[ S. G. Landge ]  
Civil Judge Sr. Dn., Umred,  
Dist. Nagpur.

Certificate

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

Name of Stenographer : Mrs. D.T. Vighne  
Stenographer (Grade II)