

Spl. Civil Suit No. 104/2025
Ashok Vs. C.O.

ORDER BELOW EXH. 21

(Passed on this 23rd of September 2025)

Read the application, say and record. Heard. Defendant No. 4 has filed this application requesting to set aside exparte order dated 7-8-2025. He submits that he received suit summons on 10-07-2025, but thereafter he took time to collect the documents and to search for the advocate, therefore, he could not appear within time. Plaintiff who himself is an advocate practicing in this court has opposed the application by submitting that defendant No. 4 has purposefully avoided to appear in the suit after the service of summons.

2] It is true that defendant No. 4 has not annexed the copy of W.S. or reply with this application to show that his W.S./ reply is ready. However, suit is for declaration and injunction. Defendant Nos. 1 to 3 and 5 are the different officers of the State. Defendant No. 4 is a private person. Relief is claimed against him. Therefore, I think it proper to give him opportunity to appear in this matter and to contest the suit. Hence, following order is passed.

ORDER

Exparte order dated 07-08-2025 is set aside subject to cost of Rs. 200/- to be paid to plaintiff.

Umred.
Dated: 23/09/2025.

[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)