

**ORDER BELOW EXH. 18**  
(Passed on 7<sup>th</sup> April, 2018)

Defendant filed an application for setting aside no written statement order and permission to file written statement.

2] Defendant submitted that due to lack of money and health problem, defendant could not file written statement within period. Hence, no written statement order passed by the court may kindly be set aside and permission to file written statement be granted.

3] Advocate for plaintiff strongly opposed this application. He submitted that sufficient opportunities are given to defendant but he has not taken any step. Defendants deliberately avoided to take steps. Hence, application may kindly be rejected.

4] Read application and say on it. Heard learned advocate for both the parties. Perused documents.

5] To decide the matter on merit and proper adjudication, it is necessary to given opportunity to both the parties to bring their case on record. In the interest of justice, it will be proper to give opportunity to defendant to bring their

facts on record. Hence, I pass the following order,

**ORDER**

- 1) The application is allowed.
- 2) No written statement order passed against defendants on 04/10/20017 is hereby set aside subject to costs of Rs.500/-.
- 3) Permission to file written statement is granted to defendant subject to payment of costs.

Sd/-

Hingna.  
Date :07/04/2018.

( R.R. Ahir )  
Civil Judge Jr. Division,  
Hingna.