

ORDER BELOW EXH.15

(Passed on 17.09.2025)

This is an application filed by defendant no.1 to 5 to condone the delay to file their written statement.

2. Defendants submitted that, the matter is fixed for mediation report. Earlier the defendants are appeared in the present matter on 29.04.2025 and they engaged the counsel on 03.07.2025. Thereafter, the present matter was referred for mediation but the plaintiff is not appeared before mediator for settlement so due to the non-co-operation of plaintiff the mediation is failed. Due to the mediation process defendants did not able to file written statement within 90 days so the delay caused to bonefide hence he prayed for allowed the application.

3. Say of plaintiff was called, he is not objected the application. However, plaintiff submitted that the application be allowed subject to the cost.

4. On perusal of record, it appears that the present suit is filed for declaration, partition and separate possession. Plaintiff and defendants are relative of each other. Therefore, it is necessary for proper adjudication of the suit the defense of defendant is brought on record. The reason stated by defendant for cause in delay is appeared justify therefore, this application is deserved to be allowed. However, no prejudice will cause to the plaintiff if the application is allowed, Hence I pass following order.

ORDER

- (1) Application (Exh.15) is allowed subject to costs of Rs. 300/- (Rs. Three Hundred only).
- (2) Costs to be paid to the plaintiff today or on or before next date.

Bhiwapur
Date:-17/09/2025

Sd/-
(S. J. Lad)
Civil Judge Junior Division
Bhiwapur.