MHNS160008932025

R.C.S./147/2025

Sonali Sharad Pawar Vs.
Sharad Papat Pawar

Order On Exh. 17
(Dated : 23/01/2026)

1] The present application is filed by defendant No. 1 for condoning delay and setting aside no say/W.S. order in this matter. plaintiff has filed his say. Heard.

2] It is the contention of the defendant No. 1 that due to avoidable circumstances he unable to file his say/W.S. in this matter and therefore the defendant No. 1 has filed the present application for condoning delay and for setting aside no say/W.S. order in this matter. The plaintiff has objected an application.

3] The suit is filed for partition and perpetual injunction. defendant No. 1 appeared in this matter on 18.08.2025 but thereafter remain absent and failed to file his W.S. within time. The present application is filed on 08.12.2025. However, considering the reason mentioned in the application it is appears that, the delay is not deliberate.

4] It is well known principle of law that "No one can go unheard". Therefore in order to decide the matter on merit an opportunity required to be given to the defendant No. 1 to file his say/W.S. on record. Hence following order :

ORDER

Application Exh.17 is allowed subject to cost of Rs. 500/- to be paid to the plaintiff and Rs.200/- to TLSC, Chandwad. The defendant No. 1 are directed to comply order on or before the next date and failure on the part of defendant No. 1 to comply the order the matter will be proceed further. Concern to take note.

Digitally signed by SUMIT SURESHCHANDRA CHHALLANI
Date: 2026.01.23 15:05:26 +0530

Date : 23/01/2026

(S. S. CHHALLANI)
Civil Judge J. D. Chandwad.

CERTIFICATE

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

Name of Stenographer	***Namdev M. Shedge*** Stenographer Grade -III
Name of Court	C.J.J.D. & J.M.F.C., Chandwad.
Date of Dictation	23/01/2026
Judgment/order signed by the PO on	23/01/2026
Judgment/order digitally signed by the PO on	23/01/2026
Judgment/order uploaded on	23/01/2026