

**Common Order below Exh 29 in R.C.S. No. 39/2018**

Defendant no.2 to 9 have filed present application to condone the delay for filing their written-statement and say. The contention of the defendants is that, due to pandemic situation and as defendant no.1 was ill and he died, they have failed to file written-statement and say within limitation. Therefore, they prayed to condone the delay and their written-statement and say be taken on record.

02] The plaintiffs have filed their say below application and prayed to reject the application.

03] Perused application, say and record. Heard Ld.advocates for parties.

04] The application reveals that, defendant no.2 to 9 wants to condone the delay of 865 days. The defendants accompanied their written-statement and say along with present application. Record reveals that, on 08/10/2018 summons is served to the defendants no.2 to 9 and they appeared before Court on 04/12/2018. On 29/03/2022 defendants have filed present application. To decide plaintiff's claim on merit, written-statement of defendant no.2 to 9 need to be taken on record. The liberal approach against defendant no. 2 to 9 need to be opt and costs may be imposed. Thus, on above grounds, application of defendant no. 2 to 9 is liable to be allowed. Hence following order :-

**ORDER**

1. The application is allowed.

2. The applicants/defendants no.2 to 9 shall give costs of Rs.1000/- (Rupees One Thousand only) to the plaintiffs on or before next date.

Place : Kalwan.  
Date : 29/03/2022.

(D.M.Gitte)  
Civil Judge, Jr.Divn.,  
Kalwan.