

Common Order below Exh 20 in R.C.S. No. 61/2021

Defendant no.1 has filed present applications to condone the delay for filing his written-statement and say. The contention of the defendant is that, due to pandemic situation and as due to his old age, he was ill, he has failed to file written-statement and say within limitation. Therefore, he prayed to condone the delay and his written-statement and say be taken on record.

02] The plaintiff has filed his 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.1 mentioned that he wants to condone the delay of 100 days. The defendant accompanied his written-statement and say along with present application. Record reveals that, on 28/07/2021 summons is served to the defendant and he appeared before Court on 27/08/2021. On 22/02/2022 defendant has filed present application. To decide plaintiff's claim on merit, written-statement of defendant no.1 need to be taken on record. The liberal approach against defendant no.1 need to be opt and costs may be imposed. Thus, on above grounds, application of defendant no.1 is liable to be allowed. Hence following order :-

ORDER

1. The application is allowed.

2. The applicant/defendant no.1 shall give costs of Rs.200/- (Rupees Two Hundred only) to the plaintiff on or before next date.

Place : Kalwan.
Date : 22/02/2022.

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