

**Order below Exh 59 in R.C.S. No. 75/2021**

Defendant no.4 to 10 have filed present application to condone the delay for filing their written-statement and say. The contention of the defendants is that, due to non-availability of necessary information and documents, 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 plaintiff has not filed his say below application. But, the Ld.advocate for plaintiff orally submitted before Court to allow present application.

03] Perused application and record. Heard Ld. advocate for defendants. Plaintiff's advocate argued they have no objection to allow present application.

04] The application reveals that, defendants wants to condone the delay of fifty days. The defendants accompanied their written-statement and say along with present application. Record reveals that, on 07/09/2021 summons are served to the defendants no. 4 to 10 and they appeared before Court on 12/10/2021. On 18/01/2022 defendants have filed present application. To decide plaintiff's claim on merit, written-statement of defendants no. 4 to 10 need to be taken on record. The liberal approach against defendants need to be opt and costs may be imposed. Thus, on above grounds, application of defendants are liable to be allowed. Hence following order :-

ORDER

1. The application is allowed.
2. The applicant/defendants no.4 to 10 shall give the costs of Rs. 200/- (Rupees Two Hundred only) to the plaintiff on or before next date.

Sd/-xxx

Place : Kalwan.  
Date : 18/01/2022

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