

Regular Civil Suit No.135/2019.

Order below Exh.18

(Passed on 21.10.2021)

Heard Ld. Advocate Mr. R. L. Gotis for the defendant No.1 and Ld. Advocate Mr. Y. N. Davange for the plaintiffs.

2. Application is filed to condone the delay in filing written statement by defendant No.1 on the ground of Covid-19 and non-availability of documents. Delay caused is not intentional. If present application is allowed, no prejudice will be caused to the plaintiffs. Moreover, suit will be decided on merits. Defendant No.1 is having valid defence. Hence, prayed to allow the application.

3. Ld. Advocate for the plaintiffs filed say and objected the application on the ground that application is false, vague and not tenable. Defendant No.1 is taking undue advantage of Covid-19. Hence, prayed for rejection of the application and alternatively prayed for costs.

4. Perused application and say. Application is supported by affidavit. Considering nature of suit, to decide the suit on merit, it is necessary to condone the delay in filing W.S. to enable the defendant No.1 to put forth his defence by way of written statement. Opposite party can be compensated by awarding reasonable costs. Hence, I proceed to pass following order:-

ORDER

1. Application at Exh. 18 is allowed.
2. Delay in filing W.S. is condoned subject to cost of Rs.200/- to be paid to the plaintiff.

Place : Yeola
Date : 21.10.2021.

(Atish Pralhad Khollam)
Jt. Civil Judge, Jr. Division,
Yeola.

CERTIFICATE

I affirm that the contents of this PDF file Order / judgment are same, word to word, as per the original order / judgment.

Name of Stenographer : P. A. Bargal (L.G. Stenographer)
Name of the Court : Shri. A.P. Kollam, Jt. C.J.J.D.,
Yeola, Dist. Nashik.
Date of Order / judgment : 21.10.2021.
Order / judgment signed by
Presiding officer on : 21.10.2021.
Order / judgment uploaded on : 21.10.2021.