

ORDER BELOW EXH. NO.26

1. This is an application filed by the defendant No. 2 to set aside No Written-statement order passed against him.
2. The plaintiff filed this suit for injunction. Due to unavailability of necessary documents he could not file his written-statement within time. Thus, no written-statement order has been filed against him. Hence, the defendant No.2 has filed the present application.
3. The plaintiff filed his say overleaf of application and opposed the said application on the ground that, the reason mentioned in the application is not true and correct. They are prolonging the matter. Thus, requested to reject the application.
4. Perused record. Heard both sides.
5. In order to decide the suit on merit and to avoid further complications, in the interest of justice this application needs to be allowed. However, after considering the set aside no written-statement order to impose certain costs on the defendant No. 2 is justifiable. This default of defendant No.2 can be compensated in terms of money. Resultantly, I proceed to pass the following order:

ORDER

1. The application is allowed subject to cost of Rs.300/-.
2. No Written-statement order passed against defendant No. 2 is hereby set aside.

Date: 05.07.2025.

(J.R. Pathan)
2nd Jt. Civil Judge, J.D., Yeola,
Dist. Nashik.