

**Order below Exh.68 in R.C.S.No.219/2015**  
**(Novrutti Vs. Mahesh and Ors. )**

Read the application and say filed on it. Heard the learned counsel for both side. By the application, defendant No.6 sought permission to appear in the suit and file her written statement. It is her case that, she has not been served with suit summons, and therefore, could not appear and file written statement within time. It is seen from the bailiff report dated 21.10.2022 that, defendant No.6 came to be served with suit summons by affixing its copy on conspicuous place of defendant No.6's address given in the cause title of the plaint. It is not her case in the application that, the address mentioned in the said summons was not of her. In fact it appears from the affidavit attached to the application that, defendant No.6 has given her same address which was mentioned in the suit summons. Then it would not be acceptable that the suit summons was not served upon her. Besides this, there is no other reason of long delay of around 11 months after the service of summons. However, the learned counsel for the plaintiff orally conceded for allowing the application subject to heavy cost for the sake of meritorious decision of the suit. In view of the concession on behalf of the plaintiff, and for the sake of meritorious decision of the suit, defendant No.6 is allowed to file her written statement by condoning delay subject to cost of Rs.1,000/- to be paid on or before next date.

Sd/-xxx

**Date : 17.01.2024.**

**(M. M. Gadiya)**  
**Civil Judge S.D., Sinnar.**

