

Order below Exh.30 in R.C.S.No.166/2020
(Annasaheb Vs. Shivaji and Ors.)

Read the application and say filed on it. Heard the learned counsel for both side. By the application, defendant No.2 sought permission to file her written statement by condoning delay of around 2 years 11 months and 29 days. It is stated in the application on oath that, since there was lock down due to covid pandemic, defendant No.2 could not remain present in the court and file her written statement. She also suffers from blood pressure. She was also infected with covid. That led to delay in filing the written statement. It is fact that, there was extension of limitation during lock down due to covid pandemic between March, 2020 to March, 2022. Then there is delay of 18 months in filing the written statement. Defendant No.2 did not produce any document showing that she suffers from blood pressure and also infected with covid. She did not mention the period of covid infection to her. Then the reason of such delay cannot be accepted. 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.2 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 : 03.01.2024.

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

