

Order below Exh.16 in R.C.S. No.616/2022
(Popat & Ors. Vs. Kailas & Ors.)

This is an application filed by defendant No.6 for condonation of delay in filing written statement. He submits that, he is old age person and cannot move around. So he was not able to contact his advocate and give the information to him within time for filing written statement. Therefore, he may be permitted to file written statement. The plaintiffs resisted the application by filing say and contended that, the reason cited in the application is not justified. Therefore, the plaintiffs prayed for rejection of the application.

2. Heard both side. Perused record of the case. The suit is for partition and other reliefs. Defendant No.6 was served with summons. He appeared on 13.04.2023, but failed to file written statement. Considering the reason cited in the application, it would be proper to allow defendant No.6 to file his written statement on record subject to costs. Hence, I pass following order,

ORDER

1. The application is allowed subject to costs of Rs.300/- (Rs. Three Hundred only) to be paid to the plaintiffs on or before next date.
2. On payment of costs, written statement filed by defendant No.6 be accepted.

Date : 11.12.2024.

Sd/-xxx
(R. S. Kanade)
Civil Judge S.D., Sinnar.