

Order below Exh.21 in R.C.S. No.47/2024
(Parth & Ors. Vs. Vikram & Ors.)

This is an application filed by the defendant Nos.1 to 5 to condone the delay in filing written statement. They submit that, they could not collect the necessary documents and information in order to prepare written statement within time. There is a delay of 6 months and 5 days in filing written statement. It may be condoned. The plaintiffs opposed the application by filing a reply and contended that, the reasons cited in the application are not proper.

2. Learned advocate for defendant Nos.1 to 5 is absent when called. Already no written statement order has been passed against defendant Nos.1 to 5 below Exh.1 on 25.06.2024. The suit pertains to the partition, and other reliefs. Defendant Nos.1 to 5 are members of the joint family of plaintiffs. Considering the nature of the dispute, and reasons cited in the application, it would be proper to allow defendant Nos.1 to 5 to place their pleadings on record. However, considering the delay, costs should be imposed. Hence, I pass the following order,

ORDER

1. Application is allowed subject to costs of Rs. 700/- (Rupees Seven Hundred) to be paid to the plaintiffs on or before the next date.
2. On payment of costs, written statement filed by defendant Nos.1 to 5 may be taken on record.

Sd/-xxx

Date : 05.03.2025.

(R. S. Kanade)
Civil Judge S.D., Sinnar.