

Order below Exh.15 in R.C.S. No.268/2021
(Sanjay Vs. Shivaji)

This is an application filed by the defendant no.1 and 2 for condonation of delay in filing W.S.. They submit that, they appeared after service of summons. They could not procure the documents due to their old age. Therefore, there is delay in filing WS. It may be condoned and WS filed by them may be accepted.

The plaintiff failed to file say on the application though opportunity has been granted. The suit pertains to declaration and perpetual injunction in respect of immovable property. Considering the nature of dispute and reasons cited in the application it will be proper to allow the defendant no.1 and 2 to place their pleadings / defence on record. However, considering the delay the plaintiff is entitled for the costs. Hence, following order.

ORDER

1. The application is allowed subject to payment of costs of Rs.500/- to be paid to the plaintiff on or before next date.
2. On payment of costs on or before next date, W.S filed by the defendant no.1 and 2 be taken on record.

Sd/-

Date : 03.07.2025.

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