

LRMA No. 33 OF 2025
(CNR NO. MHNS290002862025)

Balu Tukaram Bhavnath and ors,
Vs.
State of Maharashtra and ors.,

ORDER BELOW APPLICATION (EXH. 29)

1. The present application is filed by respondent no.1 praying to set aside ‘ ex-parte’ order passed against him. His act is not deliberate. Therefore, he prayed for setting aside ‘ex-parte order.

2. The learned advocate for plaintiffs by filing their say overleaf the application and resisted the application. They submitted that the application is not legal and proper. The summons was served to respondent no. 1 on 19/06/2025 but till today he has not filed written statement. Hence, he prayed for rejection of the application.

3. Heard both sides at length. In such circumstances, considering the nature of dispute and in order to determine the real question in controversy between the parties and to adjudicate the matter effectively and completely and to settle all questions involved in the application on merits, an opportunity should be given to respondent no.1. Hence, it would be just and proper to set aside ‘ex-parte order and thereby allow this application. Accordingly, following order is passed.

ORDER

- (1) Application is allowed.
- (2) Ex-parte order passed against respondent no. 1 is hereby set aside.

Date : 27/03/2026.

(Yashshree Marulkar)
**Civil Judge Senior Division,
Igatpuri.**