

ORDER BELOW EXH. 35 IN REGULAR CIVIL SUIT NO. 192/2018.

This is an application moved by the defendant No. 1 and 3 for setting aside "No written statement" order passed against them.

2) Heard learned advocate Shri.B.N. Lomate for the defendant and learned advocate Shri. R.M. Mule for the plaintiff. Perused the application and say.

3) The defendant No. 1 contended that defendant was ill on posted date for filing written statement, hence, he could not file the same within time. Hence, for the ends of justices no written statement order may kindly be set-aside.

4) The learned advocate for the plaintiffs submitted that there is no reason mentioned in the application for delay caused. Hence, application be rejected. Considering the principle of natural justice that i.e. **no man should be condemned unheard**. Hence, I hold that application deserves to be allowed by imposing costs. Hence, I proceed to pass the following order.

ORDER

1. Application is allowed subject to payment of costs of Rs.200/- (Rupees Two hundred only) to the plaintiff on or before next date.
2. After compliance of above clause, necessary order will be passed on Exh.1.
3. Failure to comply above clause, on or before next date, the application shall be deemed to be rejected.

Dated:- 05/12/2018.

(M. D. Thombare)
Jt. Civil Judge, Jr. Dn.,
Kallam.