

MHOS120000422020



**IN THE COURT OF CIVIL JUDGE SENIOR DIVISION,
BHOOM**

LAR No.48/2020

Dinkar Bhanudas Sable

... Claimant

Vs.

State of Maharashtra & others

... Respondents

Ld. advocate Shri S. B. Nare for claimant.

Ld. AGP Shri. K. D. Kolpe for respondent Nos.1 & 2.

ORDER BELOW EXH. 8

Perused application, record and proceeding.

2. This application is filed by the Ld. AGP on behalf of the respondent Nos.1 & 2 for setting aside an order of ex-parte hearing passed against respondent Nos.1 & 2 and for permission to file his written statement.

3. According to respondent Nos.1 & 2, as their advocate (AGP) was engaged in other court in official work therefore, they failed to appear in this proceeding within time and today, he is appeared in the matter with his written statement. The fair opportunity of hearing needs to be given to him. Hence, the application.

4. No say filed by claimant. No man shall condemned unheard is the basic principle of law. Claimant has filed reference under section 18 of the Land Acquisition Act, 1894 for enhancement in compensation. Considering the nature of claim and reason mentioned in this application I think an opportunity of hearing needs to be given to the respondent Nos.1 & 2 for just decision of the claim. Hence, I pass following order.

ORDER

1. Application is allowed.
2. An order of ex-parte hearing passed against respondent Nos.1& 2 is set-aside and he is permitted to file his written statement.
3. Written statement filed by the of respondent Nos. 1 & 2 is read and recorded.

Bhoom
Date : 13/01/2025

(Atul A. Chendke)
Civil Judge Senior Division,
Bhoom

CERTIFICATE

I affirm that the contents of this P D F file order/judgment are same word to word as per the original order/ judgment.

Name of Stenographer	:	R.H.Botre (Grade-II)
Name of Court	:	Civil Court Senior Division Bhoom Tal Bhoom Dist Osmanabad.
Order/ Judgment date	:	13.01.2025
Order/ Judgment signed by the Presiding Officer on	:	13.01.2025
Order/ Judgment digitally signed by the Presiding Officer on	:	14.01.2025
Order/ Judgment uploaded on	:	14.01.2025