

MHOS120000252023



IN THE COURT OF CIVIL JUDGE SR.DIVISION BHOOM

RCS No. 02/2023

Gorakh Dasharath Choudhari

...Plaintiff

Vs.

State of Maharashtra & others

...Defendants

ORDER BELOW APPLICATION EXH. 9

Heard. Perused application. This application is filed by the defendant No.4 & 5 for setting aside an order of 'exparte hearing' passed against them and for permission to file their written statement.

2. According to defendant No.4 & 5, they are public officer. They are engaged in the public work therefore, they were unable to appear in the proceeding and file their written statement. They have not made delay for appearance deliberately. Hence, the application.

3. This application is strongly resisted by the learned advocate for the plaintiff. Ultimately, he prayed for awarding cost to plaintiff.

4. Defendant No.4 & 5 are Deputy Engineer and Executive Engineer of Minor Irrigation Department Osmanabad. Being public officer it is necessary to hear them by setting aside an order of exparte order. Hence, I pass following order.

Order

- 1 Application is allowed.
2. An order of exparte hearing passed against defendant No.4 & 5 is set-aside.
3. They are permitted to file their written statement.
4. They are directed to file their written statement on next date without failed.

Bhoom.
Date : 16/09/2023

(A.A. Chendke)
Civil Judge S.D., 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	:	16.09.2023
Order/ Judgment signed by the Presiding Officer on	:	16.09.2023
Order/ Judgment digitally signed by the Presiding Officer on	:	16.09.2023
Order/ Judgment uploaded on	:	16.09.2023