

Order Below Exh.41

Perused the application, say of defendant no. 12 & 13 thereon also perused entire record, heard both parties at length.

2. Present application has been filed by plaintiffs for setting aside 'No Say' order passed against them at Exh.37 on 11.07.2018. As per them, due to non availability of necessary information and documents, they could not file their say in time, therefore 'No Say.' order was passed against them. Therefore, they have prayed that said 'No Say.' order be set aside in the interest of justice.

3. Defendant no. 12 & 13 opposed the application on ground that reasons are not proper, therefore it may be rejected. If allowed, heavy costs be imposed.

4. On perusal of record it appears that, defendant no. 12 and 13 have filed application at Exh.37 on 28.11.2017. However, plaintiffs did not file their say till 11.07.2018, therefore, No Say order was passed against them on that day. The reasons mentioned in the application for non filing Say in time are quite vague and general and in my view are not at all compelling. However, I am of the view that in order to afford these plaintiffs an opportunity to show how the suit is properly valued, it is just and expedient to set aside No Say order. In the result, following order-

O R D E R

“No Say” order passed against plaintiffs on Exh. 37 is hereby set
aside

Sd/-

Date : 06.08.2018

(A.G.Deshingkar)
Jt. Civil Judge S.D.,Bhoom