

Spl.C.S. No. 09/2016
Shalini Vs Adinath

Order below Exhibit No. 48

1 Read application and say filed to it by plaintiff. Heard. Perused record and proceeding.

2 Defendant No.3 by the instant application prayed for condonation of delay caused to file his written statement and for its acceptance.

3 Plaintiff resisted this application by contending that same is not tenable.

4 It is pertinent to note that initially defendant No.3 appeared through Advocate on 30-06-2016. However, thereafter he failed to file his written statement within stipulated period. No doubt, till date no written statement order has not been passed against him. However, present application accompanied with written statement came to be filed after lapse of stipulated period. Though there is delay considering the nature of suit, it is necessary to provide an opportunity to the defendants to put forth their defence. Hence, application needs to be allowed at the same time it is necessary to saddle some cost on the defendants. Hence, following order.

ORDER

1 Application Exh. 48 is hereby allowed subject to cost of Rs.250=00 (Rs. Two hundred fifty only).

2 Written statement of defendant No.3 is hereby accepted.

Date :- 11-07-2017

Sd/-
(R.V. Jagtap)
Civil Judge, S.D., Bhoom