

New R.CS No. 1104/2025
Old R.C.S. No.145/2023
Dadarao Vs. Chatrabhuj & ors.

ORDER BELOW EXH.40
(Passed on 24th June, 2026)

Defendant no.1/1 to 1/3 have filed present application for setting aside No W.S. order passed against them on the ground that, due to lack of information and document they were unable to file W.S. within time. Hence, the present application.

2. Plaintiff by filing say strongly opposed the application on the ground that, reason given in the application are not satisfactory. Delay is not properly explained. Hence, prayed for its rejection. Alternatively, prayed for heavy cost.

3. Perused record and proceeding. Heard both sides.

4. Suit is for partition and possession. Therefore, opportunity of being heard needs to be given to the defendants by way of permitting them to file written statement and contest the suit. Hence, upon certain cost for delay application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

No W.S. order passed against defendant no.1/1 to 1/3 is hereby set aside subject to cost of Rs.100/- each Payable to plaintiff.

(Dictated and pronounced in open Court.)

Dated : 24/06/2026

(Smt. P. S. Jadhav),
2nd Jt. Civil Judge, Sr.Dn.,
Bhoom.

CERTIFICATE

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

Name of Stenographer	---	Shri. Nikam D. B. Stenographer Gr.-II
Court	---	2 nd Jt. Civil Judge Sr. Dn.,Bhoom
Date	---	24/06/2026
Order signed by the Presiding officer on	--	24/06/2026
Order uploaded on	—	24/06/2026