

MHOS150004872020



R.C.S. No. 311/ 2020
Chhayabai & Ors. V/s. Abhiman & Ors.
CNRNOMHOS150004872020

ORDER BELOW EXH. 46

- 1) By this application the defendants no. 3, 5 to 7 and defendant no. 4 are seeking to set aside Exparte order dated 08-02-2021 and 02-03-2023. Plaintiff filed say and strongly objected the application.
- 2) It is stated that the defendants no. 3 to 7 they were went outside to earn bread and butter therefore they didn't appear and exparte order is passed against them. Hence, they preferred instant application for setting aside exparte order.
- 3) From the record it is seen that the suit is of the year 2020. The reason stated in the application does not appears to be satisfactory and is not supported by documentary evidence. However, it is settled principle of law that no party shall remain unheard. Also, in order to decide controversy involved in the suit and on merit, one opportunity is required to be given to the defendants no. 3 to 7 in the interest of justice.
- 4) Thus, considering aforesaid principle this application needs to be allowed. Hence, I pass the following order.

ORDER

- 1) Application is allowed.
- 2) Exparte order dated 08-02-2021 passed against the defendants no. 3, 5 to 7 and 02-03-2023 defendant no. 4 are set aside subject to payment of costs of Rs. 2000/- (Two Thousand only) to the T.L.S.A., Paranda and they are permitted to file their W.S on record.

Date:-29/11/2025

(Dilip G. Jagtap)
Jt.Civil Judge, Junior Division, Paranda

CERTIFICATE

I affirm that the contents of this P.D.F. File Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Shri. V.N.Phurade
Name of Court	Shri. Dilip G. Jagtap, Jt. C.J.J.D. and J.M.F.C., Paranda
Date of Dictation	29/11/2025
Judgment signed by the P.O. on	29/11/2025
Judgment/Order uploaded on	29/11/2025