

ORDER BELOW EXH.8
(CNRNO.MHOS190009292025)

01. Defendant nos. 1 to 3 have made the present application to set-aside ex-parte order.

02. Perused the application and say. Heard the Ld. Advocate for both sides.

03. Defendants states that defendant no. 1 is old age and is having health issue and defendant no. 2 & 3 are taking care of her and as such they could not appear before the court and filed their written statement. They therefore pray to set aside the ex-parte order passed against them.

4. As against this, the plaintiff by filing his say has strongly objected the present application.

05. Having considered the submissions made on behalf of the parties and on perusal of record it appears that, defendant no. 1 to 3 were served with summons on 08-01-2024. However, as they failed to appear before the court, My Learned Predecessor has passed ex-parte order against them on 08-01-2024. The defendants have mentioned the reason that defendant no.1 is having health issue and defendant no. 2 & 3 were taking of her and therefore they could not appear before the court and filed written statement within time. Although, the reason put-forth by the defendants is not fully justifiable and satisfactory yet in order to decide the suit on merits, it is necessary to give defendants an

opportunity to file their written statement on record. Hence, in the interest of justice, I proceed to pass the following order:-

ORDER

01. Application is partly allowed.
02. The ex-parte order passed against defendant No.1 to 3 on 8.01.2024 is set-aside subject to cost of Rs.500/- to be paid to the plaintiff.
03. Parties to take note.

Date:- 04/07/2025

(Smt. S. D. Awasekar)
Civil Judge, Senior Division,
Tuljapur.

CERTIFICATE

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

Name of Stenographer	---	Devidas S. Shiral, Stenographer - Grade II
Court	---	Smt. S. D. Awasekar Civil Judge, Senior Division, Tuljapur, District -Dharashiv.
Date	---	04/07/2025
Judgment/order/issues/evidence signed by the Presiding Officer on	---	04/07/2025
Judgment/order/issues/ evidence uploaded on	---	05/07/2025