

MHOS190009292025



**ORDER BELOW EXH.13**  
**(CNRNO.MHOS190009292025)**

1. Defendant No. 1 to 3 have made the present application to set-aside ex-parte order passed against them and to permit them to pay the cost.

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

3. It is the contention of defendants that, as per order passed below Exh.1, the ex-parte order passed against them was set aside subject to cost of Rs.500/-. However, as they failed to deposit the cost amount, the court by passing order below Exh. 1 on 10.03.2026 ordered that ex-parte order passed remains in existence. They state that the present suit is in relation to immovable property and their valuable rights are involved in the subject matter of the suit. They therefore pray that the ex-parte order be set aside and they be permitted to deposit the cost amount.

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

5. Having considered the submissions made on behalf of the parties and on perusal of record it appears that the ex-parte order was set aside on 04.07.2025 subject to cost of Rs. 500/-. However, as the defendants failed to deposit the amount, the ex-parte order passed against them remained in existence. The defendants state that they were not aware of the suit being transferred to the present court and therefore could not deposit the amount. Thus, taking into consideration reasons mentioned is necessary to permit the defendants to deposit cost amount as per the order passed against below Exh. 8. Hence, I proceed to pass the following order:-

### **ORDER**

1. Application is allowed.
2. The ex-parte order passed against defendant is set-aside. The defendants are directed to pay the cost amount as per the order passed below Exh.8.
3. Parties to take note.

Date:- 10/07/2026

( 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,<br>Stenographer - Grade II                                         |
| Court                                                                | --- | Smt. S. D. Awasekar<br>Civil Judge Senior Division, Tuljapur,<br>District -Dharashiv. |
| Date                                                                 | --- | 10/07/2026                                                                            |
| Judgment/order/issues/evidence signed by the<br>Presiding Officer on | --- | 10/07/2026                                                                            |
| Judgment/order/issues/ evidence uploaded on                          | --- | 10/07/2026                                                                            |