



Order below Exh. No.15

Perused the application and say. Heard learned advocates of both the sides.

02. The present application is filed by defendant No.1/3 for for condoning the delay to file written statement on record.

03. The learned advocate Shri.A.B. Pradhan for defendant submitted that necessary documents were unavailable for preparation of written statement on 30/07/2025. Therefore, defendant could not file his written statement within stipulated time. The delay is not intentional one. Lastly, prayed to allow this application.

04. On the contrary learned advocate Shri.S.S.Gajmal for the plaintiff submitted that the defendant has intentionally not filed his written statement within stipulated time and prayed to impose heavy cost.

05. After giving my thoughtful consideration to the submissions canvassed by both parties and on perusal of the record it depicts that suit summons was duly served on defendant on 25/07/2025 and appeared before the court through advocate on 30/07/2025. Plaintiff has filed this suit for partition and perpetual injunction of the suit property.

06. Considering the facts and circumstances of the matter in hand, it appears that at present defendant is ready to file the written statement. Hence, in the interest of justice and for proper adjudication of the subject matter, it would be just and proper to allow the present application. On this background, I proceed to pass the following order.

ORDER

01. The application Exh.15 is hereby allowed.

02. Cost in cause.

Date: 23/04/2026

(Vishal R. Gatkhal)
Extra Jt. Civil Judge J.D.
Sailu, Parbhani.