



**Civil Misc. Appln. No.381/2024**  
**CNR No.MHPU010044362024**  
**(Goel Ganga Developments LLP**  
**through its Designated Partner**  
**Anurag Subhash Goel Vs. Marvel**  
**Omega Builders Private Limited thr.**  
**1. Vishwajeet Jhavar 2.Azim Khan**  
**3. Gunvant Kshatri etc)**

**ORDER BELOW EXH.-42**

This is an application on behalf of opponent no.1 for setting aside no say order passed against it on 26.04.2024.

2] Application is strongly opposed on behalf of applicant stating that notice has been served upon opponent no.1 on 28.03.2024, it appeared on 03.04.2024 and on same day the copies of documents were served upon it. Still till filing of this application, no say has been filed. Hence, it is submitted to reject the application.

3] Having heard arguments of both parties and considering the fact that despite opponent no.1 putting its appearance on 03.04.2024 no say has been filed. The reason for delay is not reasonable or sufficient. However, in order to accord fair opportunity to defend, in my view, say of opponent no.1 is required to be taken on record by setting aside no say order but on costs. Hence, order.

**ORDER**

- 1] Application is allowed.
- 2] No say order is set aside and say filed on behalf of opponent no.1 be taken on record subject to deposit of Rs.5,000/- towards costs.
- 3] Opponent shall deposit or pay the costs amount to applicant within 8 days from the date of this order, failing which it will be treated that the application Exh.42 is rejected.

Pune.  
Date : 16.07.2024

(Sunil G. Vedpathak)  
District Judge-2, Pune.

**CERTIFICATE**

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

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|-----------------------------------------|-----------------------------------------------|
| Court Name                              | Sunil G. Vedpathak<br>District Judge-2, Pune. |
| Name of Steno                           | S. Y. Shaikh, Stenographer<br>(Grade-I)       |
| Date                                    | 16.07.2024                                    |
| Order signed by Presiding<br>Officer on | 18.07.2024                                    |
| Order PDF & uploaded on                 | 19.07.2024                                    |