



IN THE COURT OF CIVIL JUDGE (JR. DN.) P.C.M.C. COURT AKURDI, PUNE.
R.C.S. No. 160/2025
Sumit Sulinder Pawar
Vs.
P.C.M.C. & Ors.

ORDER BELOW EXH. 25.
(Passed on 10/06/2026)

This is an application filed by defendant no.1 and 2 for setting aside no written statement order.

2. Called say of plaintiff, he have given their say below Exh. 26.

3. Counsel for defendant no.1 and 2 have submitted that, summons is served upon them on dated 05/01/2026 and filed appearance pursis at Exh.18. They ought to have filed written statement within 90 days. But, for preparation of written statement the necessary information and documents not received from the employees of defendant Municipal Corporation. Therefore, they could not prepared and alternatively no written statement order was passed on dated 06/05/2026. But now they are ready to file written statement. Lastly, he prayed for no written statement order which is passed on 06/05/2026 be set aside and permission be granted to file written statement on record.

4. On the other hand counsel for plaintiff strongly opposed

the application and submitted that, the delay and reason are not mentioned satisfactory. Therefore, they lastly prayed for application be reject and if allowed then heavy cost be imposed.

5. Perused whole record. Suit is filed for declaration and permanent injunction. There are four defendants. The summons served upon defendant no.1 and 2 and they appeared on 05/01/2026. As per Civil Procedure Code the written statement should be filed within 30 days and if sufficient reason then time may be extended up to 90 days but in present matter there is delay of two months. But contention of defendant no. 1 and 2 is that, the necessary information is not received from the concern employee of defendant corporation is looking justifiable. For adjudication of fair trial and to resolve the controversy between the parties it is necessary to give opportunity to defendants. Hence, the order passed on dated 06/05/2026 is necessary to set aside. Therefore, I proceed to pass the following order :

ORDER

The No W. S. order passed on dated 06/05/2026 is hereby set aside and defendant no. 1 and 2 is permitted to file written statement on record subject to costs of Rs. 100/- be paid to the plaintiff.

Dated: 10/06/2026.

Sd/-xxx
(V. S. Damare)
Civil Judge Junior Division
P.C.M.C. Court, Akurdi, Pune.

CERTIFICATE

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

Name of Stenographer	:-	Gaurav A. Bobade (Grade III)
Court Name	:-	Shri. V. S. Damare, Civil Judge Junior Division, (P.C.M.C.), Court, Akurdi, Pune.
Date	:-	10/06/2026.
Order signed by presiding officer on	:-	10/06/2026.
Order uploaded on	:-	10/06/2026.