

ORDER BELOW EXH.13 AND 15 IN RCC NO.100/2023

Application Exh.13 is filed by defendant for condonation of delay in filing written statement and application Exh.15 is for setting-aside No W.S. order.

2] It is contended that there is delay of 15 days in filing written statement. He could not file W.S. due to non availability of necessary documents. If delay is not condoned, defendant will suffer irreparable loss.

3] Plaintiff filed say overleaf Exh.13 that application be rejected and if court comes to conclusion to allow the application, heavy cost be imposed. Plaintiff filed say overleaf Exh.15 contending that he has no objection to allow the application.

4] The suit is for partition and release of mortgaged property and its possession. Therefore, considering the reason for delay, facts and circumstances, for effective adjudication once for all and to avoid multiplicity of the proceedings, the delay needs to be condoned. Hence, the order.

ORDER

Applications Exh.13 and 15 are allowed.

Sd/-

(Shri M.S. Bharad)

Date : 15/09/2023

2nd Joint Civil Judge, Junior Division,
Saswad, Pune

