

Common Order below Exh.14 and 16.

(Date : 02.05.2026)

Present applications have been filed by the defendant for condonation of delay and setting aside No W.S. order passed against him.

2] It has been contended on behalf of the defendant that the plaintiff filed this suit against him for declaration and perpetual injunction. He appeared in the matter through his learned advocate. However, due to non-availability of old documents within time and was remaining out of station for livelihood could not file W.S. within stipulated period. On the other hand, despite sufficient opportunity plaintiff failed to file say. Hence, the present application proceeded without say.

3] Perused, heard. It appears that the defendant though appeared through his advocate failed to file written statement within stipulated period. Therefore suit is proceeded without W.S. The suit is for declaration and injunction. The reason given by the defendant to file W.S. within stipulated period is not proper. Sufficient opportunity was given to the defendant. It is seen that the defendant has caused delay deliberately and applied for filling written statement. However, in order to decide the suit between the parties conclusively W.S. needs to be accepted. It would be proper to decide the matter on merit. Delay can be compensated by awarding cost. Hence, I proceed to pass the following order :

ORDER

The applications are allowed subject cost of Rs.400/-.

Place : Saswad.

Date : 02/05/2025.

[Tukaram P. Mote]
Jt. Civil Judge (J.D.),
Saswad, Dist. Pune.

CERTIFICATE

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

Name of Stenographer	:: Santosh K. Panchal, Stenographer (Grade - III),
Name of the Court	:: Shri. T. P. Mote, Jt. C.J.J.D. & J.M.F.C., Saswad, Dist. Pune
Date of Order	:: 02.05.2026
Order signed by P.O. on	:: 02.05.2026
Order uploaded on	:: 02.05.2026