



ORDER PASSED BELOW EXH.12 IN
CRI. MISC. APPIN. NO. 90/2021.
(CNR No.MHPU170018552021.)

Sangita Dashrath Parekar Vs. Dashrath Bapu
Parekar.

This is an application for setting aside Ex-parte order passed against non-applicant. It is contended that, application is to be decided on merit and thereby, non-applicant is require to be permitted to file his say. Therefore, he prayed for allowing an application.

2. Applicant filed her say, contending that, notice is served to non-applicant on 11/09/2022. The contents and application are false. Therefore, she prayed for rejection of an application.

3. Perused application, say. Heard.

4. On perusal of record, it appears that, application is supported by an affidavit. Alongwith application non-applicant has filed his say. It appears that, notice is served on non-applicant at Exh.7. Inspite of it, he failed to remain present and file his say. However, in the interest of justice, application deserves to be allowed subject to cost. Hence, I proceed to pass following order-

ORDER

1. Application is allowed, as under-

2. Ex-parte order passed against non-applicant is hereby set aside subject to cost of Rs. 500/-.
3. Non-applicant is hereby directed to pay the cost of Rs.500/- to applicant on or before next date.
4. On failure to pay the cost by non-applicant, the Ex-parte order will remain as it is.
5. Parties to take note.

Indapur.

Date : 23-01-2023.

(P.L.Patil)

Judicial Magistrate First Class, Indapur.

C E R T I F I C A T E

“I affirm that the contents of this P.D.F. judgment/order file are same word for word as per it's original judgment/order.”

Name of the Steno : R.S.Parve,
Stenographer, L.G.-III.

Name & Designation of the : P.L.Patil,
Court Judicial Magistrate First Class,
Indapur.

Date of order : 23/01/2023.

Date of order signed by
Presiding Officer : 23/01/2023.

Date of Upload : 24/01/2023.