

ORDER
CNR NO.MHPU-18-000567-2019

1. Perused application and say. Heard both the sides. Applicant/ Defendant No.4, 6 & 7 prayed for condoning the delay caused for filing W.S. and say. Plaintiff filed their say behind back the application of the applicant.

2. Applicants submitted that it is necessary to file the written statement within 90 days but, they have not filed the same. Applicants further submitted that due to the election they are not able to collect the document from the revenue authority therefore they could not file the written statement and say within time. They submitted that it is necessary to give them chance to file the written statement and say otherwise heavy loss would be caused to them. Hence prayed for allowing the application.

3. Plaintiff submitted that, the application filed by the applicant is not true and correct. Applicant only want to prolong the matter. Therefore, plaintiff prayed for rejection of application.

4. The present suit is for declaration and permanent injunction in respect of suit property. It is necessary that, every suit to be decided on the merit. On perusal of the application and suit it seems that the important civil rights of the applicants are involved in the suit. Therefore, it seems necessary to give a chance to the applicants to file the written statement and say. Therefore, the application deserves to be allowed. However delay caused can be compensated in terms of money. Hence considering the reasons stated in the application it needs to be allowed. Hence the order:

ORDER

1. Application is allowed and delay is condoned subject to depositing the cost of Rs.500/-

2. Cost be given to the plaintiff on or before next date.
3. Applicants to take note accordingly.

Date :29/11/2019

(A.T.Mangire)
Jt. Civil Judge Jr. Division, Daund

C E R T I F I C A T E

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

Name of the Steno	:- P.D.Kadam
Court	:- A.T.Mangire Jt. C.J.J.D. Daund
Order date	:- 29/11/2019
Order singed by the Presiding Officer on	:- 29/11/2019
Order uploaded on	:- 29/11/2019