

MHPU250002642024



COMMON ORDER BELOW EXH. 14 AND 16 IN PWDVA. 7/2024

The present applications have been filed by respondent no. 1 to condone the delay in filing his say and for setting aside no say order passed against him. The applicant has filed her say overleaf and prayed that heavy costs be imposed.

2. Perused the record. Heard Ld. Advocates for the parties.

3. It appears from the Affidavit at Exh. 15 and Exh. 17, that the respondent no. 1 could not file his say within the stipulated period due to non communication with his Ld. Advocate.

4. Considering the submissions of the Ld. Advocates for the parties and the explanation given by the respondent no. 1 , I find that respondent no. 1 has made out sufficient cause for condoning the delay in filing his say.

5. Moreover, the delay does not appear to be substantial, respondent no. 1 deserved another opportunity to put forth his case. Also, the delay does not appear to be deliberate or intentional. It will be just and reasonable to allow the present applications to decide the matter on merits. However, respondent no. 1 is liable to compensate the applicant for the delay by paying cost. Hence, the following order:-

ORDER

1. Applications (**Exh. 14 and Exh. 16**) are allowed subject to payment of cost of Rs. 500/- to the applicant within two weeks, failing which, the application shall be dismissed.
2. Upon payment of cost, the say of respondent no. 1 be taken on record.

sd/-

Place : Junnar
Date : 23/09/2025

(S.S. Jain)
Judicial Magistrate First Class,
Junnar