



Regular Civil Suit No.47/2023

Siraj Ahmad Abdul Ajj Naje

Vs.

Jalil Anis Naje and Ors.

ORDER BELOW EXHIBIT 18

This is an application filed by defendant No.1 for condonation of delay for filing his written statement on record.

02. Defendant in the said application has stated that due to non availability of necessary documents related to the suit and illness of defendant No.1, he could not file his written statement within time. Hence, the Court has passed no written statement order against defendant No.1 on 12/08/2024. It is necessary to file the written statement of said defendant on record. If he is not permitted to file his written statement, he will suffer irreparable loss. Hence, defendant has prayed to allow the application by condoning the delay.

03. The plaintiff has filed his say and submitted that reason mentioned in the application is not sufficient and not true. No documentary evidence has been filed on record by the defendant about delay. Hence, prayed to reject the said application.

04. Perused the application and say. Perused the record of the case. For the purpose of deciding the real controversy between parties, it is necessary to have the

written statement of defendant on record. Perused the roznama. It appears that, there is delay to file the written statement of defendant. Considering reasons as stated in the application, the application deserves to be allowed. No prejudice will be caused to the plaintiff, if the application is allowed. Hence, I proceed to pass following order :

ORDER

- 1) The application is allowed.
- 2) Delay to file written statement of defendant No.1 will be condoned after payment of costs as per order below Exh.16.
- 3) Written statement of defendant No.1 will be read and recorded on payment of costs to be paid to the plaintiff on or before next date.

Place – Karjat
Date - 18/02/2025

(Smt. A. S. Wadkar)
Civil Judge, J.D., Karjat,
District - Raigad