

**Regular Civil Suit No.70/2016**

**ORDER BELOW EXHIBIT 96**

This is application filed by defendant No.6 for condonation of delay for filing his written statement on record.

02. The defendant in the said application has stated that he was not served with suit summons, therefore, he cannot appear through advocate. Hence, this Court has passed ex-parte order on 26/09/2016 against defendant No.6. It is necessary to file the written statement of defendant on record. If he is not permitted to file 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 no specific reason mentioned in the application or file any evidence about delay. Hence, prayed to reject the 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. 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 the written statement of defendant No.6 will be condoned after payment of cost mentioned as per order passed below Exh.94.
  
- 3) Written statement and say of defendant No.6 will be read and recorded after payment of cost mentioned as per order passed below Exh.94.

Place – Karjat  
Date - 15/09/2025

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