



**Regular Civil Suit No.91/2023**

**Shri. Vilas Laxman Dhule & Ors.**

**Vs.**

**Shri. Gopal Sakharam Sonawale & Ors.**

**ORDER BELOW EXHIBIT 39**

This is an application filed by defendants No.1 to 5, 7, 8, 11 to 15 for condonation of delay for filing their written statement on record.

2. Above defendants in their application have stated that, due to their illness, they cannot provide documents to their learned advocate, therefore, they have failed to file written statement within limitation. Hence, there is a delay to file their written statement on record. Defendants have prayed to allow the application by condoning the delay and also prayed that, their written statement be taken on record.

3. The learned advocate for plaintiffs has filed his say on the application itself and contended that, there is no specific reason of delay mentioned in the said application, above defendants have not come with clean hands before the Court. Hence, prayed to reject the application.

4. 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 above defendants on record. Considering reasons as stated in the application, the

application deserves to be allowed. No prejudice will be caused to the plaintiffs, if the application is allowed. Negligence on part of above defendants can be compensated in terms of money. Hence, I proceed to pass following order :

**ORDER**

- 1) The application is allowed subject to costs of Rs.800/- (Rupees eight hundred only).
  
- 2) Written Statement of defendants No.1 to 5, 7, 8, 11 to 15 will be read and recorded on payment of costs of Rs.800/- (Rupees eight hundred only) to be paid to the plaintiffs on or before next date.

Place – Karjat  
Date - 25/06/2024

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