



**Order passed below Exh. 24 & 26
in R.C.S. No. 190/2014**

1. This is an application filed by defendant No. 1 for condoned the delay to file written statement and setting aside no written statement order passed against him on the grounds mentioned in the application. The defendant stated that the no written statement order passed against him on 25/06/2018. The defendant could not able to file his written statement due to domestic problem. The defendant No. 1 has not intentionally avoided to file written statement. He wants to contest the suit and so he prayed for setting aside no written statement order. Plaintiff failed to file his say, though sufficient time given to him. Hence application proceeded without say of plaintiff.

2. Perused the application and say. Heard the Ld. Counsel appearing for Defendant No. 1. The record shows that defendant failed to file written statement after appearance, therefore no written statement order passed against him. This court being the court of first instance, it is necessary to give an opportunity to the parties in the larger interest of justice to take the case to its logical end by just and legal conclusion. This requires granting of an opportunity to the defendant to participate in the suit. In view of this, I think it fit to allow the application and pass following order-

ORDER

1. The application Exh. 24 & 26 is allowed.
2. The no written statement order dated 25/06/2018 is set aside subject to cost of Rs. 500/-
3. Cost be paid to plaintiff.

Date : 24/03/2022

(R.D. Wabale)
Civil Judge Jr. D. Khalapur.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order are same word to word as per the original Judgment/Order.

(a) Name of the Stenographer : M. S. Shirgire, Steno. (L.G.)

(b) Court : Shri. R. D. Wabale
C.J.J.D. & J.M.F.C.,
Khalapur

(c) Date of Judgment/Order : 24/03/2022

(d) Judgment/Order signed by the: 24/03/2022
Presiding Officer on

(e) Judgment/Order uploaded on: 25/03/2022