

ORDER BELOW EXH. NO.43 IN R.C.S.No.12/2014

(Passed on 20/09/2019)

C.N.R.No. MH.RG -0900-0065-2014.

The defendant No.02 by this application prayed to permit him to place written statement on record. The plaintiff strongly objected the application by filling say at the overleaf of application. Perused the application and say. Heard, learned advocate for both sides.

2) The defendant No.02 has filed his say over the interim application Exh.05. According to defendant some documents are not available within time due to which he could not file his written statement within the time permitted by law. If defendant has given opportunity then it will help to decide the case on merit. Hence, he prayed to permit him to file written statement on record. The plaintiff strongly objected the application.

3) I, have heard both the advocate at length. Perused the record of the case. Considering reason given in the application I, am of the view that, it is a principle of natural justice that no one should be condemned unheard. If application is allowed it will help to decide the case on

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merit. Therefore, it would be proper to allowed the application subject to cost. Hence, I passed following order.

ORDER

1. The application Exh. 43 is hereby allowed.
2. The defendant No.02 is permitted to place his written statement on record subject to cost of Rs.1,000/-.
The cost to be credited to State.

Place: Roha.
Date : 20/09/2019.

Sd/-
(C. U. Shipkule)
Jt. Civil Judge, Jr. Div. Roha.
(MH-RG-0009-2804)