

ORDER BELOW EXH.139.

The defendant No.4/1 to 4/3, 4B/1 to 4B/4, 4F/1, 4F/3 to 4F/5 have filed present application for permission to file their written statement by condoning delay in filing. They submitted that they are added as party later on and as they could not obtain some revenue papers within time they failed to file their written statement within time. They also submitted that if they are not allowed to file their written statement, injustice would cause them. Hence, the application.

2. The plaintiff opposed to present application by filing his say overleaf the application and prayed to reject the application.

3. Perused the record. Heard Ld. Advocates of respective parties. It is seen that defendant No.4/1 to 4/3, 4B/1 to 4B/4, 4F/1, 4F/3 to 4F/5 appeared on 04.02.2025, however, despite sufficient time they failed to file their written statement within reasonable time. They have not provided sufficient reason as to their default, however, still I am of view that they should be allowed to file their written statement for proper adjudication of the suit and for avoiding multiplicity of proceeding. Liberal view should be taken while deciding such applications, however it cannot be ignored that due to default on the part of defendants valuable time of the plaintiff & court is wasted. Hence following order is passed.

ORDER

1. Application is allowed subject to cost of Rs. 600/- to be paid to the plaintiff.

2. After payment of cost Written statement of defendants shall be taken on record.
3. Plaintiff shall note of this order.

Date :- 10.03.2026.

Place :- Roha.

(S.V. Khaire)

Civil Judge, Junior Division Roha