

MHRG140010002023



Order below Exhibit 23

in

RCS No. 128/2023

1. The application at Exhibit 23 has been filed by the defendant no.1 to 4 to set aside the ex-parte order against defendants vide order dated 12.09.2023.
2. The above defendants have submitted that there was possibility of compromise between the parties. The plaintiff has also stated that they will withdraw the suit and told them not to come to the court. Based on that assurance, the defendant did not appeared. It is crucial for defendants to furnish their written statement. Therefore, the said application may be allowed.
3. Plaintiff has opposed the said application on the ground that the reason in this application is not satisfactory. No justifiable reason has been mentioned in the application. Therefore, the present application may be rejected.
4. Heard both sides. Perused the record.
5. Ex-parte order was passed against defendants vide order dated 12.09.2023. However, opportunity must be given to the defendants to lay their defense. It would be essential for the effective and fair adjudication of the case.

6. Considering above reason and in the interest of justice, opportunity is required to be given to defendant no. 1 to 4 for just decision of the case on merits. Consequently, I proceed to pass following order:

::ORDER::

1.	Application at Exhibit 23 is allowed.
2.	No order as to cost.

Place :Uran
Date : 28.01.2025

(Ms. G. K. R. Tandon)
2nd Jt Civil Judge, J.D.,
Uran