

MHRG140022372023



R.C.S. No. 175/2023

Order below Exh. 45

It is the case of applicants/defendant no. 10 and 11 that they have received summons on 22.12.2023. They have to file written statement opposing the reliefs. They submits that, the plaint is documented in Marathi language which the defendants and their advocate find it difficult to understand. *Hon'ble Bombay High Court in the case of Kulmit Singh Virk Vs State of Maharashtra reported in 2017 SCC online Bomb 2540* has held that pleadings in Marathi language be also accepted with undertaking to furnish in this translation of the same if required. In the present case the defendants and their advocate find it difficult to understand the word used in Marathi language and therefore it is necessary to provide english translation of the suit. Hence, they prayed to direct the plaintiff to provide English translation.

2. The plaintiff filed his say overleaf the application and submits that, the application is not tenable. If the defendants does not understand Marathi language then they can translate it on their own. It is not the responsibility of the plaintiff to provide the translation. Hence, the plaintiffs prayed to reject the application.

3. Heard both the learned advocates for the respective parties. Admittedly, the plaint is drafted in Marathi language. I will like to have

glance on the above sited judgment Hon'ble Bombay High Court has directed the courts to accept pleadings in Marathi language with an undertaking to furnish english translation of the same if required. Here in the present case, it is the case of defendant no. 10 and 11 that they do not understand some words used in Marathi language then in such contingency the translation copy would suffice the purpose. There is no harm to the plaintiff to provide the said translation copy to defendants. I would like to mention that the learned advocate while interacting with the Court was having a good command in Marathi language. It might be the problem of party to understand it. It is also necessary to clear that the defendants no 10 and 11 cannot take advantage of the fact that the translation copy is not provided. Already there is huge delay in filing of written statement by them. The written statement has to be filed within the mandate of order VIII of the Code of Civil Procedure. The defendants no. 10 and 11 cannot take advantage of this fact for delaying the filing of written statement. Thus keeping this point open and as per the above authority, the translation copy has to be provided to the applicants. Hence, with this observation, I pass the following order.

### **ORDER**

1. The application is allowed.
2. The plaintiff is directed to provide the copy of English translation of Suit to the applicants.

Uran,  
Date : 29.01.2025

(L.B.M.M.A. Syed)  
Civil Judge, J.D., Uran