

MHRG140025152023



R.C.S. 190/2023

Order below Exh. 19

This is an application for setting aside 'No Written Statement' order passed against defendants no. 1 and 2 respectively.

2. Defendants are seeking to set aside 'No Written Statement' order on the ground that as their advocate was busy in some another work, written statement could not be filed in time. Hence, they prayed to allow the application.

3. Application is strongly opposed by the plaintiff on grounds that the application is false and bogus. Necessary documents were provided at the time of service of summons. Hence, they prayed to reject the application.

4. Heard both sides. Perused the record. Considering above reason and in the interest of justice, opportunity needs to be given to defendants for just decision of the case on merits. Moreover, to put the suit at stake, an opportunity has to be granted to defendants so as to contest the suit. However, delay occurred in filing written statement needs to be compensated. Hence, costs of Rs. 200/- will suffice the purpose. Consequently, I pass following order.

ORDER

1. Application is allowed.

2. 'No Written Statement' order passed against defendants no. 1 and 2 is set aside subject to payment of costs of Rs. 200/-.

Uran,
Date : 18.09.2024

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