

Order below Exh.40 in RCS.No.4/2022

CNR No. MHRT0600000222022

Defendant has sought condonation of delay and permission file her written statement on record. She contended that, due to chances of compromise between her and plaintiff she could not file her written statement within limitation. Hence, prayed for condonation of delay of 42 days and permission to file her written statement.

2. The application is strongly resisted by the plaintiff by filing say on overleaf of the application. The plaintiff contended that, the application is not legal and prayed for rejection of the same.

3. Perused application, say and record. Heard arguments of both sides.

4. Undoubtedly, after amendment in plaint sufficient sufficient opportunity was available to defendant to file written statement. The period for filing written statement is technically over. However, opportunity of contesting the suit by filing written statement is essential for ensuring opportunity of hearing and decision on merit. It is further essential for avoiding multiplicity of litigation. Therefore, in the interest of justice, it would be proper to allow the application. Hence, I pass following order:

ORDER

1. The application is allowed.
2. Delay to file W.S is condoned and permission is hereby granted to the defendant to file WS on or before next date.

Sd/-***

Dapoli.

(R.B.Yadav)

Date:- 03/01/2025.

Civil Judge, J.D., Dapoli

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order are same words as per original Judgment.	
Name of Stenographer	Shri. V.V. Bamane
Court Name	Civil Judge J.D. Dapoli.
Date of Judgment	03.01.2025
Judgment Signed by P.O. on	03.01.2025
Judgment uploaded on	04.01.2025