

Order below Exh. 30 in PWDVA No. 03/2023
(CNR No. MHRT080001772023)

As per order passed below Exh. 01 on 29/05/2024, this Court has directed that the present proceeding shall proceed without say/reply by the respondents. By the present application, the respondents have prayed for allowing them to file the reply/say.

02. It is contended that, respondent No. 01 is suffering due to physical disability and mental pressure. Further, whole of the family is under pressure due to on going litigation. As such, say could not be filed within time.

03. Application is strongly opposed by the applicant by filling reply at Exh. 33. It is thereby contended that respondent No. 01 is an engineer. He manages the affairs of the factory of respondent No. 04. Thus, the contentions made in the present application are false. The respondents have intentionally avoided to file reply to delay the proceeding. Hence, according to the applicant Smita, present application is liable to be rejected.

04. Perused the record. Heard both sides.

05. Pertinently, the ends of justice can be served by affording opportunity to every litigant to put up his case before the Court. If the respondents are not allowed to file reply, they may not be able to contest the proceeding on merits. Thus, with a view to provide them one opportunity in the interest of justice, present application can be allowed. At the same time, the applicant need to be compensated in terms of costs on account of delay occurred. In the circumstances, it would be just to allow the present application

subject to payment of costs of Rs. 4000/-. Hence, following order -

ORDER

1. The application is allowed subject to payment of costs of Rs. 4000/.
2. The amount of costs shall be paid on or before next date.

Date- 09/10/2024

(B. D. Tare)
Judicial Magistrate, F.C.
Deorukh.

- : C E R T I F I C A T E : -

order below Exh. 01 in PWDVA No. 08/2022

I affirm that the contents of this Pdf file are same words as per original file.

Name of Stenographer	:-	S. A. Bhale
Court Name	:-	The Court of Judicial Magistrate F.C., Deorukh
Date	:-	09.10.2024
order signed by PO.on	:-	09.10.2024
order uploaded on	:-	09.10.2024