



CNR No. MHSI070001412020
Order passed below Exh. No. 120
in R.C.S. No. 20/2020

The present application has been filed by defendant Nos. 15 seeking to set aside no written statement order passed against him. It is his contention that, the necessary information and documents were not available with defendant no.15 to file his written statement. Therefore he could not file the same within the stipulated time. He further submitted that the delay was not deliberate, and if the application is not allowed, he will suffer irreparable loss. Hence prayed to allow the application.

2. The application is resisted by the plaintiff by filing a reply at Exh.122. It is contended that the application is false and frivolous. It is further contended that defendant no.15 has caused delay of two years. The reasons advanced in the application are not satisfactory. Hence, prayed to reject the application.

3. I have heard both sides and perused the record. The suit pertains to immovable property. Valuable rights of the parties are involved. In such circumstances, it would be just and proper to give an opportunity to defendant no. 15 to file his written statement and contest the matter on merits. No prejudice will be caused to the plaintiff by allowing the application. On the contrary, it will enable the

Court to decide the matter on merits. Inconvenience caused to the plaintiff can be compensated by imposing costs upon defendant No. 15. Therefore, the application deserves to be allowed. Hence following order,

ORDER	
1.	The application at Exh. 120 is allowed subject to payment of costs of ₹300/- by defendant No. 15 to the plaintiff on or before the next date.
2.	Upon payment of costs, the written statement filed by defendant No. 15 shall be taken on record.
(Pronounced and dictated in open Court.)	

Place : Malvan
Date : 31/03/2026

M.K.Fakih
Civil Judge (J.D.) Malvan.