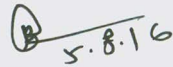


.....

1. Heard. Perused the record. It appears that, as the defendants No. 4 & 9 failed to file their W.S. within stipulated period, no W.S. order was passed against them. The said application is opposed by plaintiff. It has been stated by defendants that, the defendant No. 4 is aged person and due to her illness she has been adviced for rest by the doctor. Further, she has been adviced for not to travel. Due to these facts, it was unable to them to file his W.S. within stipulated period. Basically the suit is for partition of suit properties and separate possession of the same. Therefore, in order to solve the real dispute between the parties the W.S. of defendants No. 4 & 9 should be on record. Though there is aspect of delay in filing W.S., it can be compensated in terms of costs i.e. money. However, if such opportunity to file W.S. on record, if not granted the defendants No. 4 & 9 will suffer a lot. At the same time by the filing of W.S. on record no prejudice will be caused to the plaintiff. Hence, in my opinion for effective adjudication the W.S. should be recorded. Resultantly, in the interest of justice I, proceed to pass following order.

ORDER

1. The application is allowed subject to cost of Rs. 200/- (two hundred only)
2. Cost be paid to the plaintiff.
3. After compliance of cost, the W.S. of defendants No. 4 & 9 shall be read and recorded.


R.M.Choutre)
Civil Judge (J.D.),
Kankavli.

Date :- 05/08/2016

२२/८/२०१६ रक्कम रुपये २००/- दोनशें रुपये हात मिश्रिते.
किाश्व
किाश्व म. माधव

C.S. 34
अॅड. श्री. चंद्रकांत सत्यवान सावंत
महाडिक कंपाऊंड, बी.के.जी. रोड,
मु.पो.ता. कणकवली, जि. सिंधुदुर्ग.
मोबा. नं. ९८८१९१३६२१

जाह


४. (प्रतिवादी क्र. २)