

MHSI100001522019**-: REGULAR CIVIL SUIT NO. 16 OF 2019 :-****-: ORDER BELOW EXH. NO. 1 :-**

On perusal of record, it is seen that, the suit proceeded exparte against defendant No. 11 vide order dtd. 23.08.2019 passed below EXH 1. Thereafter, the defendant No. 11 appears to have sent his written statement through post and the same appears to be received by the Court and got read and recorded on 02.11.2019. The same is at EXH 42. His appearance purshis is at EXH 40. However, it is necessary to note here that, when already exparte order dtd. 23.08.2019 being passed against defendant No. 11, his written statement cannot be read without setting aside the said exparte order. Considering this fact, though the written statement of defendant No. 11 has got read and recorded at EXH 42, the same cannot be read as his exparte order is not set aside. Hence, this order.

Place : Dodamarg.
Date : 02.01.2023.

(Y. P. Bavkar)
Civil Judge, (Junior Division),
Dodamarg.