

Order below Exh.61 in
Special Civil Suit No.242/2011
CNR-MHSN020011892011

[Chandrashekhar Sheth-Shethji Vs. Purushottam Sheth-Shethaji]

The defendant nos.3 to 6 filed the present application for getting set aside the order of “no say” passed by this Court on dated 09/03/2022 on the application made for carrying out a proposed amendment in plaint by the plaintiff below Exh.57.

(2). The same is resisted by plaintiff through his say at Exh.64.

(3). Perused the application and say. The application below Exh.57 came to be filed on record on 23/11/2021. This court called say of other side. Despite receipt of the copy by defendants, they failed to file their say. Therefore, on 09/03/2022, this Court passed “no say” order on it. The said application for amendment was posted for arguments. This being so, after a lapse of more than three months, defendants filed the present application for getting the order of “No say” set aside. These defendants have not given any reason for causing delay for not filing their say in time. No doubt, the defendants should be given a chance to contest the amendment application on the ground to know whether the said facts mentioned in it have any negative bearing on the rights of the defendants or not. In view of this, the present application deserves to be allowed but, subject to cost. Hence, the following order.

ORDER

(1). The application at Exh.61 is hereby allowed subject to costs of Rs.1,000/- (Rs.One Thousand) to plaintiff.

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- (2). After the payment of cost, the say filed by these defendants to Exh.57 be taken on record and be marked exhibit.

Sangli
Date:-08/09/2022.

(M.M.Rao)
Civil Judge Sr. Dn., Sangli.

CERTIFICATE

I affirm that, the contents of this P.D.F. file are same, word to word as per the original order.

Name of Stenographer	:	G.S.Parve
Court	:	Civil Judge Sr.Dn., Sangli
Date	:	08/09/2022
Order signed by the Presiding Officer on	:	08/09/2022
Order uploaded on	:	12/09/2022