

ORDER BELOW EXH. 44 IN SPL.C.S. NO. 7/2022

(CNR : MHSN05-0004132022)

1. Perused the application and say filed by plaintiff. The defendant No.2 submitted that due to their compromise negotiations he failed to file written statement within time. Hence, 'no W.S.' order passed against him. It is submitted that he may be permitted to file written statement.

2. The plaintiff opposed the application. He admitted that compromise negotiation going on between them. But, he submitted that proper reason not given to file W.S. Hence, the application be rejected. If allowed, cost of Rs.5000/- be imposed.

3. Present suit is filed for partition. Therefore, opportunity has to be given to the defendant No.2 to file his written statement for meritorious decision of the suit in the interest of justice. Hence, order.

ORDER

'No W.S.' order passed against defendant No.2 is hereby set aside subject to costs of Rs.500/- (Rupees Five Hundred Only). Costs be paid to the plaintiff.

Islampur

Date: 16/3/2023

(V. G. Chaukhande)

Civil Judge, Sr.Dn., Islampur

CERTIFICATE

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

Name of Stenographer : S. A. Desai (Gd-II)
Court : Civil Court Sr.Dn.Islampur
Date of Order/Judgment: 16/3/2023
Signed on : 16/3/2023
Uploaded on : 16/3/2023