

MHSN050006062014



**Order below Exh.217 in R.C.S. No. 157/2014**

1. The defendant Nos.1A to 1C have filed this application for setting aside no written statement order. It is submitted that due to hospitalisation of defendant No.1 and as she is residing at Mumbai she failed to file written statement within time. Hence, 'No W.S.' order passed. It is submitted that in the interest of justice they may be permitted to file written statement.

2. The plaintiff opposed the application. It is submitted that the reason is not justiciable. Hence, the application may be rejected. If allowed, costs be imposed.

3. On perusal of record it appears that the sole defendant No.1 died thereafter these defendants are taken on record. The suit is filed for specific performance of contract. Therefore for meritorious decision of the suit an opportunity has to be given to defendant Nos.1A to 1C to file their written statement. Hence, order.

**ORDER**

1. The application is allowed.
2. 'No W.S.' order passed against defendant Nos.1A to 1C is hereby set aside.

Islampur  
Date: 16/9/2023

(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:		18/9/2023
Signed on	:	18/9/2023
Uploaded on	:	20/9/2023