

ORDER BELOW EXH. 19 IN R.C.S.NO. 169/2023

Defendant No. 1 and 2 have filed this application, praying that *ex-parte* order dated 10/04/2024 passed against them be set aside. According to them, they could not appear before the Court at the relevant time due to some reasonable cause. they have, however, contended that they will suffer irreparable loss if they are not permitted to appear. With this, they have prayed that this application be allowed.

02. The plaintiff has filed her say at Exh. 21 And contended that contents of this application are not true & correct. According to her, defendants intentionally did not appear in the suit. Hence, he prayed for rejection of the application along with compensatory costs. and therefore, this application is liable to be rejected.

03. I have heard Ld. Advocate for defendant No. 1 and 2 and Ld. Advocate for the plaintiff, and have gone through record of the suit.

04. Upon perusal of the record, it is seen that *ex-parte* order against defendant No.1 and 2 was passed below Exh.1 on dated 10/04/2024. Today defendants have filed written statement along with this application. Therefore, having regard to nature of the suit, I am of the considered view that an *ex-parte* order dated 10/04/2024 passed against defendant No. 1 needs to be set aside subject to payment of costs of Rs. 500/-. Holding so, I proceed to pass the following order.

ORDER

1. The *ex-parte* Order against the defendant no. 1 and 2 is set-aside subject to costs of Rs. 500/- (Rs. five hundred) payable to the

plaintiff.

2. The payment of costs shall be a condition precedent for acceptance of the written statement.

Date :14.10.2025

(M.A.Kulkarni)
Jt. Civil Judge Junior Division,
Kavathe Mahankal.