

ORDER BELOW EXH.29 IN REGULAR CIVIL SUIT NO.45/2016
[Ashok Maruti Jadhav etc.2 vs. Tanaji Namdev Jadhav etc.11]

1] This is an application for allowing the defendant No.1 and 3 to 11 to file their written statement, which could not be submitted within the time permitted. The plaintiffs by filing their say contested this application.

2] I have heard the Ld. Advocate for the defendant No.1 and 3 to 11. On perusal of record, it appears that "No W.S. order is passed only against defendant Nos.1 and 4 to 10. Therefore, this application needs to be considered only to their extent. The reasons stated in the application for not filing the written statement within the time permitted appear to be proper and justifiable. Therefore, considering the nature of the suit and in the interest of justice and for deciding the suit on merit, defendant No.1 and 4 to 10 are permitted to file their written statement, but subject to costs of Rs.400/- to be paid to the plaintiffs.

In the result, the following order is passed :-

: ORDER :

1. The application is allowed.
2. The defendant No.1 and 4 to 10 are allowed to present their written statement subject to payment of costs of Rs.400/- to be paid to the plaintiffs, as a condition precedent.

Sd/-

Tasgaon
Dt.4.3.2017

(Smt. S.S. Manjrekar)
2nd Jt. Civil Judge, Junior Division,
Tasgaon