

Order below Exh.19 in R.C.S.No.45/2021

[Mahadev Pandurang Patil & Ors. v/s. Amit Dinkar Madne & Ors.]

[CNR-MHSN090002452021]

The present application is filed by defendant no.3 for condonation of delay for filing written statement.

2. By filing present application it is submitted by the defendant no.3 that, she got suit summons on 24.01.2022. Thereafter, she appeared in the present matter, but as she was suffering from illness she went to Pune at her son's house and she was residing there. Therefore, she could not file her written statement within the prescribed time of limitation. The delay caused is not intentionally. Therefore, considering the nature of the suit delay for filing written statement may be condoned.

3. On the other hand the Ld.Advocate for the plaintiffs filed his say and submitted that, the contents of the application are false. He further submitted that, the defendant no.3 intentionally did not file his written statement within the prescribed period of limitation. Hence, application may be rejected.

4. Heard both sides. Perused record. After perusal of record it is seen that, the present suit is filed for recovery of possession. Therefore, considering the nature of suit and contents of application, I am of the opinion that, it is necessary to give an opportunity to the defendant no.3 to file her written statement in order to contest the suit and for that purpose it is necessary to allow the present application. Hence, considering these reasons, I

proceed to pass following order.

ORDER

1. Application is allowed.
2. The delay for filing written statement of defendant no.3 is hereby condoned subject to costs of Rs.100/- (Rs.One Hundred).
3. Amount of costs be credited to Government.

TASGAON.
Date : 20.04.2022

(Omprakash M.Mali)
Joint Civil Judge Jr.Dn.,
TASGAON.

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

Name of the Stenographer	:	U.P.Patil
Court	:	Jt.Civil Judge Jr.Dn. and Judicial Magistrate F.C., Tasgaon.
Date	:	20.04.2022
Order signed by the Presiding officer on	:	20.04.2022
Order uploaded on	:	21.04.2022