

Order below Exhibit. 95 in Regular Civil Suit no. 56 of 2014
(CNR No. MHSN130002014)

The present application is filed by the defendant no. 1(a) to set aside 'No Written Statement' order passed against him.

2) The defendant contended that the he is serving in Mumbai hence he remained absent and he could not file his written statement within the stipulated time. Hence prayed to allow the application.

3) The plaintiff strongly resisted the application.

4) Considering the nature of suit, the defendant no. 1(a) can not be allowed to go undefended. An opportunity needs to be given to the defendant no. 1(a) to put forth his defence in the interests of justice which will ultimately help in adjudicating the matter on merit.

Accordingly, the following order is passed :

ORDER

- 1) The application is allowed.
- 2) The 'No Written Statement' order passed against the defendant no. 1(a) on plaint (Exh.1) is hereby set aside.

Sd/-

Kadegaon
Date : 28.11.2023

(J.T.Koregaonkar)
Civil Judge, (J.D) Kadegaon