

Order below Exh.15 in RCS No.85/2025:-

01. Perused application filed by original plaintiff (i.e. defendant no.1 in counter-claim) for setting aside no written statement order to counter-claim of original defendant no.3 in the plaint along with affidavit of original plaintiff (i.e. defendant no.1 in counter-claim). Defendant no.3 (i.e. the plaintiff in counter-claim) filed say at Exh.17 and resisted the application for want of proper reason and inordinate delay. On perusal of roznama, it appears that no written statement order is not passed below Exh.14 i.e. counter-claim of original defendant no.3 in the plaint against original plaintiff (i.e. defendant no.1 in counter-claim).

02. Heard both sides. Rights of both parties are involved in present case. Considering the reasons mentioned in the application, it seems that the application deserves to be allowed in order to adjudicate the present case effectively. The costs can be imposed to compensate the delay to proceeding of present case. Hence, it is necessary to allow present application in the interest of justice by imposing costs. Therefore I pass the following order-

i) The application at Exh.15 is allowed subject to costs of Rs.100/- payable to defendant no.3 (i.e. the plaintiff in counter-claim) and delay in filing written statement of original plaintiff (i.e. defendant no.1 in counter-claim) to counter-claim at Exh.14 stands condoned on payment of costs.

ii) The written statement of original plaintiff (i.e. defendant no.1 in counter-claim) to counter-claim at Exh.14 be taken on record after payment of costs.

Place: Kadegaon

Date: 04/04/2026

(Smt.Madhavi R.Patkar)
Civil Judge (J.D.) Kadegaon