

Order Below Exh.15 in Regular Civil Suit No.134/2019
(Bhanudas Yadav & Ors. V/s. Sanjay Yadhav & Ors.)

1. The present application is filed by the defendant no.1 for set aside 'no w.s.' order passed against him and submitted as under:

Documents required to file written statement were not available. Hence, he failed to file written statement within stipulated time. Considering this ground he prayed to allow the application.

2. On the other hand, the plaintiffs have filed their say and submitted that, the reason mentioned in the application is false. Hence, prayed to reject application.

3. Considering nature of the suit, it would be proper to give opportunity to the defendant no.1 to resist the claim of plaintiffs. It would be proper to accept written statement for the fair disposal of the suit and to avoid multiplicity of the litigation, but for delay caused costs has to be imposed on the defendant no.1. Hence, the following order :

: ORDER :

1. The application is allowed.
2. 'No W.S.' order passed against the defendant no.1 is set aside subject to cost of Rs.500/- be paid to the plaintiffs.

Date :27/07/2022

(P.R.Sabnis)
Jt.Civil Judge, Jr.Dn.Kadegaon.