

**Regular Civil Suit no. 159/2023**

**ORDER BELOW EXH. 23**

1. The present application has been filed by the defendant nos.1 and 2 for set aside of 'No W.S.' order against them and contended that, the defendant nos.1 and 2 are the old persons and the documents and information which are required to file say were not available and could not provided to their Ld.Advocate. Hence, they failed to file say within stipulated time. Considering this ground she 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. Defendants are not filed any documentary evidence for their contention and they purposely delaying the suit. Hence, prayed to reject application.

3. Considering nature of the suit, it would be proper to give opportunity to the defendant no.1 and 2 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 defendants. Hence, the following order :

**ORDER**

1. The application of defendant nos.1 & 2 below **Exh. 23** is hereby allowed.
2. The defendant nos.1 and 2 shall pay cost of Rs.1000/- (One Thousand Only) be paid to plaintiffs.

Date : 04/10/2025

**(Smt. Pallavi M. Suryawanshi)**  
2<sup>nd</sup> Jt. Civil Judge Junior Division,  
Vita, Tal. Khanapur