

ORDER BELOW EXH.64 IN R.C.S.No.27/2015

- 1] This is an application to set aside the ex-parte order against the defendant No.3.
- 2] Perused the application and say.
- 3] Heard both the learned advocates.
- 4] Perused the record.
- 5] The ex-parte order is passed against the defendant No.3. It is submitted by the defendant that the advocate of the defendant has died. Therefore, they could not appear in the matter in time. Hence, said order be set aside.
- 6] The application is challenged as false and not maintainable. It is submitted that only to prolong long the matter this application is filed. Hence, it be rejected.
- 7] In the present matter ex-parte order is passed on 31.03.2022. The suit is for injunction. The matter should be decided on merits. Hence, in order to decide the matter finally and on merits, ex-parte order deserves to be set aside, subject to costs. Hence, following order is passed.

ORDER

- 1] The application is allowed.
- 2] The ex-parte order against defendant No.3 is set aside.

Date: 05.01.2023.

Civil Judge Senior Division,
Pandharpur

CERTIFICATE

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

Name of Stenographer : B.R.Kondekar
Court Name : Civil Court Senior Division, Pandharpur
Date : 05.01.2023

Order/Judgment signed
by the Presiding Officer on : 05.01.2023

Order uploaded on : 05.01.2023