

ORDER BELOW EXH 26 IN SPL.C.S.NO. 55/2019

I.A.No. 3/2019

01] The defendant no.1 to 3 through this application prayed to set aside the order of no written statement passed against them.

02] It is the contention of said defendants that as defendant no.2 was ill, hence they could not file written statement in time. The delay caused is not deliberate and therefore they prayed to set aside said order.

03] Per contra, plaintiff strongly opposed the application on the count that the reason submitted is not true and proper. On this count he prayed to reject the application.

04] Heard both the sides at considerable length. Perused the record. It appears that the suit is for immovable property. Valuable rights of both the parties are involved in it. Therefore, in the interest of justice chance to defend suit needs to be given. At the same time as the matter has prolonged and some inconvenience as well as harassment is caused to plaintiff, it needs to be compensated by imposing cost. Hence, the order.

ORDER

1. Application Exh. 26 is allowed subject to cost of Rs.400/- (Rs. Four hundred only).
2. The order of no written statement passed against defendant no.1 to 3 is set aside.
3. The defendants shall pay the cost to plaintiff.

(M.R. Jadhav)

Date- 01.11.2019.

Jt. Civil Judge, S.D., Pandharpur.

CERTIFICATE

I affirm that, the contents of this PDF file order are same word to word, as per the original order.

<i>Name of Stenographer</i>	:	<i>A.K. Vibhute.</i>
<i>Court</i>	:	<i>Jt. Civil Judge Senior Division Pandharpur</i>
<i>Date</i>	:	<i>01.11.2019.</i>
<i>Order signed by the Presiding Officer on</i>	:	<i>01.11.2019.</i>
<i>Order uploaded on</i>	:	<i>02.11.2019.</i>