

R.C.S. No.13/2021

Order Below Exh-26

This application filed by the defendant of the counter claim and the original plaintiff for setting aside no written statement order passed below Exh.21 to counter claim of the defendant. Plaintiff of the counter claim filed say overleaf to the application and resisted it on the ground that the reasons are not satisfactory and legal one. There is delay, hence, application be rejected. If, court comes to the conclusion that application required to be allowed, then costs of Rs.5,000/- be awarded.

2. Heard both. Perused application and say. The suit is filed for injunction and the counter claim is also filed for injunction. The rights of the parties needs to be decided by adjudicating the suit. For that purpose defendant to the counter claim needs to be allowed to put up his defence by way of written statement for the just decision of the case. Hence, defendant to the counter claim needs to be allowed to file his written statement in the interest of natural justice. Hence, I pass the folloiwng order :

ORDER

1. Application is allowed subject to costs of Rs.200/- (Rs. Two Hundred Only) to be paid on or before next date.
2. Written statement to the couter claim will be accepted after payment of costs.

Date : 21.06.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Certificate

- (a) Name of the Stenographer : Rajiv M. Gogi
- (b) Court. : Jt. C.J.J.D., Pandharpur
- (c) Part of judgment dictated on : 21.06.2023
- (d) Uploaded on : 21.06.2023