


MHSO070001062025 	<p style="text-align: center;"><u>ORDER ON EXH. 27 IN R.C.S. No. 109/2025</u> <u>(Passed on 24th April 2026)</u></p>
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1. This application is filed by defendants No.1A and 1C to condone the delay caused in filing written statement. The plaintiffs have filed say on the same application. Heard advocates for both sides. Perused the record.
2. It is submitted by defendants No.1A and 1C that they could not collect old important documents from Tahsil Office within time. Therefore, they could not file written statement on record within time. The suit is in respect of immovable property and their rights are involved in the suit property. Therefore, it is necessary to adjudicate the suit on merit. To bring actual facts on the record, they prayed to allow the application and condone the delay.
3. The plaintiff objected the application by stating that the application is false and frivolous. The defendants have not mentioned the duration of delay and not mentioned reasonable cause for delay. The application is not maintainable. Hence, prayed to reject the application.
4. Defendants No.1A and 1C have been served vide Exh. 08, 10, 12 and 14 on 04.03.2025. They appeared through Advocate on 12.03.2025 vide Exh.16. Present application is filed on 07.04.2026. Thus, maximum permissible period for filing written statement expired on 03.06.2025. Thus, there is delay of 10 months.

No express order is passed against defendants. Suit is filed for declaration and injunction. It is pleaded that the defendants by taking disadvantage of order passed by Tahsildar in Road Case/5/SR/51/2023 trying to create road through the suit property. Therefore, rights and interest of defendants being involved in the subject matter of the dispute, it will be appropriate to give opportunity to defendants to contest the present suit.

5. In order to adjudicate the present suit finally and to avoid complexity in the proceeding, it will be appropriate to allow defendants to file written statement. It will help to decide the suit finally and will reduce multiplicity of the proceedings. Therefore, it will be appropriate to condone the delay. However, due to inaction on the part of defendants the suit proceeding is protracted and delayed. It needs to be compensated in terms of costs. For the reasons mentioned above following order is passed.

ORDER

1. The application (Exh.27) is allowed subject to payment of costs of Rs.1,000/- (Rs. One Thousand only) payable to the plaintiffs on or before next date.
2. After payment of cost the delay caused is condoned.

Pandharpur.
Date : 24.04.2026.

(Smt. S.S.Raul)
Jt. Civil Judge, Junior Division,
Pandharpur, Dist.- Solapur.

Certificate

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

Name of Stenographer	:-	D.S.Landage (Grade-III)
Court	:-	Jt. Civil Court,J.D.,Pandharpur.
Date	:-	24.04.2026.
Judgment/Order signed by the Presiding Officer	:-	24.04.2026.
Judgment/Order uploaded on	:-	24.04.2026.