

Order below Exh.31 in RCS No.351/2019

1. Heard both the sides.
2. Defendant No.2 vide this application prays for condoning delay of 5 years and 3 months caused in not filing of the written statement within time. The reason stated for not appearing before the court within time is that he is illiterate, he could not collect necessary documents for producing before the court, he encountered with Corona virus due to which he was not good in health. The application is strongly opposed on the ground of being vague. Thus, contending that there is no bona fide shown in the application, the application is prayed to be rejected.
3. Defendant No.2 has not specified as to which documents he could not collect for filing of the written statement. The fact is not disputed that defendant No.2 has suffered with Corona virus. In the interest of justice, the defendant No.1 is required to be granted an opportunity to participate in this case. Hence, the application is allowed with a compensatory costs. Thus, I pass the following order.

A- Application is allowed subject to defendant No.2 paying costs of Rs.500/- to the plaintiff.

Date : 10.01.2025.

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur

Order below Exh.29 in RCS No.351/2019

1. Heard both the sides.
2. Defendant No.2 vide this application prays for setting aside an order of “no written statement” passed against him. The reason stated for not filing of the written statement within time is that he is illiterate and he could not collect necessary documents for producing before the court. The application is strongly opposed on the ground of being vague. Thus, contending that there is no bona fide shown in the application, the application is prayed to be rejected.
3. The submission of plaintiff has force. Defendant No.2 has not specified as to which documents he could not collect within time for filing of written statement. In the interest of justice, the defendant No.2 is required to be granted an opportunity to appear and defend his case. Hence, the application is allowed with a compensatory costs. Thus, I pass the following order.

A- Application is allowed subject to defendant No.2 paying costs of Rs.500/- to the plaintiff.

Date : 10.01.2025.

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur

Order below Exh.27 in RCS No.351/2019

1. Heard both the sides.
2. Defendant No.1 vide this application prays for condoning delay of 5 years and 3 months caused in not filing of the written statement within time. The reason stated for not appearing before the court within time is that he is illiterate, he could not collect necessary documents for producing before the court, he encountered with Corona virus due to which he was not good in health. The application is strongly opposed on the ground of being vague. Thus, contending that there is no bona fide shown in the application, the application is prayed to be rejected.
3. Defendant No.1 has not specified as to which documents he could not collect for filing of the written statement. The fact is not disputed that defendant No.1 has suffered with Corona virus. In the interest of justice, the defendant No.1 is required to be granted an opportunity to participate in this case. Hence, the application is allowed with a compensatory costs. Thus, I pass the following order.

A- Application is allowed subject to defendant No.1 paying costs of Rs.500/- to the plaintiff.

Date : 10.01.2025.

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur

Order below Exh.25 in RCS No.351/2019

1. Heard both the sides.
2. Defendant No.1 vide this application prays for setting aside an order of Ex-parte passed against him. The reason stated for not appearing before the court within time is that he is illiterate and he could not collect necessary documents for producing before the court. The application is strongly opposed on the ground of being vague. Thus, contending that there is no bona fide shown in the application, the application is prayed to be rejected.
3. The submission of plaintiff has force. Defendant No.1 has not specified as to which documents he could not collect within time for appearing before the court. Moreover, for appearing before the court production of documents are not necessary. In the interest of justice, the defendant No.1 is required to be granted an opportunity to appear and defend his case. Hence, the application is allowed with a compensatory costs. Thus, I pass the following order.

A- Application is allowed subject to defendant No.1 paying costs of Rs.500/- to the plaintiff.

Date : 10.01.2025.

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur

CERTIFICATE

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

Court : Jt. C. J. J. D. Pandharpur.

Name of Stenographer : R.M.Gogi.

Date : 10.01.2025

Judgment/Order signed by
the Presiding Officer on : 10.01.2025.

Judgment/Order uploaded on : 15.01.2025