

Order below Exh.25
(Passed on 01.12.2021.)

The defendant No.5, 6 and 9 to 12 have filed present application for delay condonation in filing their written statement to the suit. It is their contention that, due to lockdown they could not present before the Court and also failed to meet their advocate. Therefore delay caused for filing the written statement. The valuable rights of the defendants are involved in the present suit. Therefore, they are prayed to allow the application.

2. Plaintiffs by filing their say below Exh.25 have strongly opposed to the application and submitted that, court has given sufficient time to the defendants for filing written statement to the present suit. But, defendants without any just reason caused delay for filing their written statement. The present application filed by the defendants only to prolong the trial of the suit. Therefore, they are prayed to reject the application.

3. Considering the rival contentions of both the side, so also, I have perused the record of case in hand, from it appears that, defendants are appeared in the present matter as on 10.12.2019 but till today's date they are failed to file their written statement. Reasons stated in the application is not just and proper. But, suit is filed for devalidation of gat numbers and perpetual injunction in respect of suit property. Therefore, to decide the suit on merit opportunity is required to be given to the defendants. Hence, I proceed to pass the following order.

ORDER

1. Application is allowed.
2. Delay caused for filing written statement is condoned against the defendant No.5, 6, 9 to 12, subject to costs of Rs.1,200/- (Rs. One Thousand Two Hundred Only) to pay other side.

Pandharpur.

Date : 01.12.2021.

[A. P. Karad.]
Jt. C.J.J.D, Pandharpur.

CERTIFICATE

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

Name of the Stenographer : *Rajiv Malkarjun Gogi.*
Court : Jt. Civil Judge, J.D. Pandharpur.
Date : 01.12.2021
signed by the
presiding officer on : 01.12.2021
uploaded on : 02.12.2021