

Order passed below Exh.58

(Passed on 06.10.2021)

The present application is filed by the defendant for setting aside no say order passed below Exh.50 and Exh.53. It is contention of the defendant that, due to covid situation defendant could not meet his advocate and failed to file his say on the application filed below Exh.50 and Exh.53. The delay caused is not intentional. Hence, defendant prayed to allow the application.

2. Plaintiff by filing his say has strongly opposed the application and submits that, the reason stated in the application is not just and proper. Court has already granted sufficient time to the defendant for filing say. On these grounds plaintiff prayed to reject the application.

3. Considering the rival contention of both the sides, so also, I have gone through the record of case in hand, from it appears that, application Exh.50 is filed as on 05.03.2020 and application filed below Exh.53 is filed on 22.04.2021. But, the defendant failed to file his to both the applications. Reason stated in the application is not just and proper. But, to decide the applications filed below Exh.50 and Exh.53 on merit, I proceed to pass following order.

ORDER

- a. Application is allowed subject to costs of Rs.200/- to pay other side.
- b. No say order passed below Exh.50 and Exh.53 is hereby set aside.

Date : 06.10.2021.

[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 of Judgment : 06.10.2021.

Judgment signed by the
presiding officer on : 06.10.2021

Judgment uploaded on : 07.10.2021.