

MHSO070008022021 	<u>ORDER ON EXH. 16 IN R.C.S. No. 732/2021</u> <u>(Passed on 28th November 2025)</u>
---	--

1. This application is filed by defendant No.2 to condone delay in filing written statement. The plaintiff has filed say on the same application. Heard Advocates for both sides. Perused the record.

2. It is submitted by the defendant No.2 that, there was compromise talks going on between plaintiff and defendant No.2. Therefore, delay is caused in filing say and written statement on record. Still compromise talks are going on between them. There is possibility of settlement of dispute. The delay is not intentional. In order to decide suit on merit, it is prayed to condone the delay and allow them to file written statement. The plaintiff has objected the application by stating that, the reason mentioned in the application is not true and correct. The present application is not supported with an affidavit. Hence, prayed to reject the application with costs.

3. Present suit is filed for recovery debt money against defendants. Suit summons were issued and it is served on defendant No.2 on 04.04.2022 vide bailiff report at Exh.07. Thereafter, they appeared through advocate on 02.05.2022 vide Exh.13. Thus, maximum permissible time period for filling written statement expired on 03.07.2022. Present application is filed on

22.09.2025. Thus, there is around 03 years 02 months delay to file written statement on record. The reason mentioned is vague. However, plaintiff has not taken material objection. If defendant No.2 is allowed to contest the suit, it will be adjudicated finally and on merit. The plaintiff will get opportunity to get his dispute decided on merit. It will prevent multiplicity of the proceeding in the future. Considering the oral submission by both parties and also oral statement made by manager of the plaintiff bank today before the Court, settlement talks are still progressing between the parties. Therefore, it will be appropriate to allow the application. For the reasons mentioned above following order is passed.

ORDER

1. The application (Exh.16) is allowed.
2. Delay caused in filing written statement is hereby condoned and defendant No.2 is permitted to file written statement on record.
3. No order as to costs.

Pandharpur.
Date : 28.11.2025.

(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 :- 28.11.2025.

Judgment/Order signed by :- 28.11.2025.
the Presiding Officer

Judgment/Order uploaded on :- 28.11.2025.