

MHSO070007292025 	<u>ORDER ON EXH. 20 IN R.C.S. No. 595/2025</u> <u>(Passed on 24th April 2026)</u>
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1. This application is filed by defendants No.3 and 4 to condone the delay caused 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 defendants No.3 and 4 that they could not collect old important documents and information 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. The plaintiff has not objected the application but, stated to impose costs upon defendants.

3. Defendants No.3 and 4 have been served vide Exh. 08 on 06.01.2026. They appeared through Advocate on 21.02.2026 vide Exh.17. Present application is filed on today i.e. 24.04.2026. Thus, maximum permissible period for filing written statement expired on 05.04.2026. Thus, there is delay of 19 days. No express order is passed against defendants. Suit is filed for declaration, partition and injunction. It is pleaded that the suit property is Hindu joint family property. But, defendant No.1 has sold the suit property to defendant No.3 and thereafter he sold it to defendant No.4.

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.

4. 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. However, the expiry period of filing written statement fell between last date and today's date, no order as to costs is necessary. There is delay of only 19 days which can be condoned in the interest of justice. For the reasons mentioned above following order is passed.

ORDER

1. The application (Exh.20) is allowed.
2. Delay caused in filing written statement is hereby condoned and say and written statement is read and recorded.
3. No order as to costs.

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.