

ORDER BELOW EXH. 36

01. This is an application by defendant Nos. 3 and 4 for setting aside ex-parte order passed against them. It is their contention that, they filed V.P. on 27.02.2020. However, from March 2020 due to Covid – 19 pandemic disease, the Court were not functioning regularly. They could not attend the Court due to lock down. Due to which ex-parte order is passed against them on 02.02.2021. Hence, prayed for allowing the application.

02. Petitioner strongly objected the application by filing their say. Perused application and say filed. Heard both.

03. After service of summons, defendant Nos. 3 and 4 appeared and filed V.P. on 27.02.2020. But they failed to file w.s. within stipulated time. However, instead of passing no w.s. order against them in-inadvertently ex-party order is passed against them on 02.02.2021. However, this Court is first trial Court, where every opportunity should be given to other side to put up their case. However, the delay has to be compensated in terms of money. In the interest of justice and to decide the matter on merit, following order :

ORDER

The application is allowed subject to cost of Rs.
300/- (Rs. Three Hundred).

Date : 25.08.2022

(Sampurna K. Karande),
Civil Judge, Senior Division,
Barshi.

CERTIFICATE

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

Name of the Stenographer	: S. N. Chilka
Court	: Civil Court Senior Division, Barshi.
Judgment / Order signed by the P. O. on	: 25.08.2022
Judgment / Order uploaded on	: 25.08.2022