

ORDER BELOW EXH. 37

01. This is an application by defendant No. 1 for condonation of delay for setting aside no w.s. order passed against him. It is his contention that, due to Covid-19 pandemic disease, he could not attend the Court and file w.s.. So also his daughter i.e. defendant No. 2 during said period. Due to which he could not remained present in the Court. He has not committed delay intentionally and deliberately. Therefore, prayed for condonation of delay to file w.s. and accept his w.s..

02. Plaintiff objected the application by filing say. Perused application and say filed by plaintiff. Heard both. Perused record of the proceeding.

03. This Court is first trial Court, where every opportunity should be given to the parties to prove their case. The reasons mentioned in application are justifiable and believable. Sufficient cause is shown by defendant No. 1 for condonation of delay in filing w.s. and setting aside no w.s. order. However, the delay caused have to be compensated in terms of money. In the interest of justice and to decide the matter on merit, it will be just and proper to allow the application by imposing certain costs. Hence, following order :

ORDER

The application is allowed subject to costs of Rs. 300/- (Rs. Three hundred only).

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