

ORDER BELOW EXH.25 IN SPL.CIV.SUIT NO.251/2022

(Rajendrakumar Shinde Vs. Jaishri Shinde etc)

Defendant no.6 has filed this application to set aside no W.S. order and grant him permission to file written statement. Succinctly, he has submitted that he could not get the documents pertaining to the suit in time. Therefore, he could not file his written statement within time. With such submissions, he has prayed to allow the application.

2) On behalf of the plaintiff his learned Counsel has objected the application by filing his say below the application. He has also submitted that if the application is allowed, cost be imposed upon defendant no.6.

3) I have heard learned Counsels for defendant no.6 and the plaintiff and perused the record of the case. Considering facts & circumstances, in the interest of justice it is just & proper to grant permission to defendant no.6 to file written statement. Even if such permission is granted, no prejudice will be caused to the plaintiff. Further, the plaintiff will get opportunity to contest the claim of defendant no.6. More so, the matter will be decided on merits. Further, delay if any can be compensated. In the result, I pass following order.

: ORDER :

Permission is granted to defendant no.6 to file his written statement subject to payment of cost of Rs. 300/- till next date.

Date : 16/01/2023

(A. P. Khanorkar)
Jt. Civil Judge, Sr. Div., Barshi.

CERTIFICATE

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

- a) Name of the Stenographer : R.P. Sakinal, Steno. Grade-2
- b) Court : Jt. CJSD and ACJM Court,
Barshi.
- c) Date of Judgment/Order : 16.01.2023
- d) Judgment/Order signed by
the Presiding Officer on : 16.01.2023
- e) Judgment/Order uploaded on : 16.01.2023