

ORDER BELOW EXH. 34

01. This is an application by defendant No. 3 for setting aside no written statement (hereinafter referred as w.s. for the sake of convenience) order passed against him. It is his contention that, he could not collect necessary documents within stipulated time, therefore, he failed to file w.s.. Due to which no w.s. order has been passed against him. Hence, prayed for setting aside no w.s. order and accept his w.s..

02. Plaintiff objected the application by filing say. It is the say of the plaintiff that, in-spite of giving opportunity, he failed to file w.s.. Without any proper reason, he is prolonging the matter. Hence, prayed for rejection of the application.

03. Perused application and say filed by plaintiff. Heard both. Perused record of the proceeding.

04. 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. 3 for condonation of delay in filing w.s. However, the delay caused can 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. 200/- (Rs. Two hundred only).

Date : 26.07.2022

(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 : 26.07.2022
Judgment / Order uploaded on : 26.07.2022