

**ORDER BELOW EXH. 39**

01. This is an application by defendant Nos. 5 and 6 for setting aside no written statement (hereinafter referred as w.s. for the sake of convenience) order passed against them. It is their contention that, they could not collect necessary documents within stipulated time, therefore, they failed to file w.s.. Due to which no w.s. order has been passed against them. Hence, prayed for setting aside no w.s. order and accept their 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 Nos. 5 and 6 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 : 19.09.2022

**(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 : 19.09.2022  
Judgment / Order uploaded on : 19.09.2022