

ORDER BELOW EXHIBIT-12 IN R.C.S.No. 144 of 2020

Defendant No. 1 to 3 have filed the present application for delay condonation and for accepting their W.S. and counter claim.

2. It is stated that, the summons was served on defendants on 19/03/2021. It is bound to give the W.S. within time but due to COVID-19 pandemic defendants were unable to give W.S. within time and 3 months delay was caused. Hence, prayed that, the delay caused be condoned and their W.S. and counter claim be taken on record.

3. Plaintiff filed the say and stated that, the application is false and illegal. After taking ample opportunities defendants were not filed their W.S. within time. The reason for delay was not mentioned in the application. Hence, prayed the application be rejected. Plaintiff further stated that, if court comes to the conclusion of allowing the application cost of Rs. 5,000/- be imposed on them.

4. Perused the record and proceeding. It reveals that, due to COVID-19 pandemic defendants were unable to remain present before the court and file their W.S. within time. But for the just decision of the case that, the delay should be condoned and the written statement and counter claim should be also taken on record. Therefore under such circumstances, defendant must be given an opportunity to file the written statement subject to reasonable cost towards the delay caused by them. Considering the above facts, I pass the following order:-

ORDER

1. Application is allowed.
2. The delay is hereby condoned.
3. Defendant No. 1 to 3 are permitted to file their written statement and counter claim on record subject to cost of Rs. 200/- be given to the plaintiff.

Date : 10/11/2021.

Sd/-
(J. A. Zari)
Jt. Civil Judge (J.D.),
Barshi.

CERTIFICATE

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

(a)	Name of the Stenographer	:	B.B.Salvade
(b)	Court	:	J.A.Zari, Jt.C.J.J.D.&J.M.F.C. Barshi.
(c)	Judgment /Order signed by P.O. on	:	10/11/2021
(d)	Judgment /Order uploaded on	:	10/11/2021