

ORDER BELOW EXHIBIT-12 IN R.C.S.No.314/2021

Defendant has filed the present application to set aside no written statement order and accepting W.S.

2. It is asserted that, the summons was served on him second week of September 2021. Defendant appeared in the suit on 22/09/2021. But due to COVID-19 pandemic and unavailability of necessary documents he was unable to remain present before the court and file his W.S. Hence prayed for setting aside no written statement order passed against them.

3. Plaintiff filed the say on the said application and stated that, the contents of application and the reason mentioned for delay are false. Defendants have not file their W.S. within limitation. The reason of COVID-19 pandemic is false and illegal. Hence, prayed for rejection of the application. Plaintiff further stated that, if court comes to the conclusion of allowing the application cost of Rs. 5000/- be imposed on defendant.

4. Perused the application and say. It reveals that, due to COVID-19 pandemic and unavailability of necessary documents defendant was unable to remain present before the court and file their W.S. within time. Therefore, it is necessary for the just decision of the case that, the written statement should be taken on record. Therefore, considering the say of the plaintiff and the circumstances narrated by the defendant it will be proper to give an opportunity to file the written statement subject to reasonable cost towards the delay. Considering the above facts, I pass the following order :

ORDER

1. Application is allowed.
2. No written statement order passed is hereby set aside, defendant is permitted to file the written statement on record subject to cost of Rs.200/- be given to the plaintiff.

Date : 24/02/2022.

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

C E R T I F I C A T E

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	:	24/02/2022
(d)	Judgment /Order uploaded on	:	24/02/2022