

**ORDER BELOW EXHIBIT- 29 IN R.C.S.No. 235 of 2014**

Defendant No.4 has filed the present application to set aside ex-parte order dated 08.12.2016.

2. It is asserted that his name is Anil Digamber Kulkarni. However plaintiff has mentioned his name in the cause title as “ Anil Bhagwant Kulkarni”. He recently came to know from defendant No. 3 that the court has passed Ex-parte order against him. It is necessary for him to appear and contest the suit. Hence, it is necessary to set aside ex-parte order ant to permit him to submit his written statement. Else, he would suffer irreparable loss. Hence, the application.

3. Plaintiffs have filed the say and opposed the application contending that the reason is not legal and proper. There is delay. Ultimately, they have prayed for passing appropriate order by imposing costs.

4. Perused the record and proceeding. Heard both the sides. It is seen that the plaintiffs have not denied that the name of the father of defendant No.4 is incorrectly mentioned. Moreover, suit has not proceeded much further. There is no inordinate delay. In view of the above, an opportunity to contest the suit can be given to him by imposing costs. Hence, the application is allowed. Ex-parte order dated 08.12.2016 is set aside and he is permitted to submit his written statement subject to costs of Rs.200/- to be paid to the plaintiffs.

Date : 06.11.2017

( S.K. Khan )  
Jt. Civil Judge (J.D.),  
**Barshi.**

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Order are same word to word as per original Order.

Name of Stenographer :

Court Name : S.K.Khan,  
Jt.C.J.J.D.& J.M.F.C. Barshi

Date : 06.11.2017

Order signed by the  
presiding officer on : 06.11.2017

Order uploaded on : 06.11.2017