

ORDER BELOW EXHIBIT-10 IN R.C.S.No. 790 of 2019

Defendant has filed the present application for delay condonation and accepting W.S.

2. It is stated that, It is asserted that, it is bound to give W.S. within limitation. But due to COVID-19 pandemic there were restrictions on traveling and various government offices were closed. Due to that, reason and also unavailability of necessary documents regarding suit he was unable to remain present before the court and file W.S. Hence prayed that, the delay caused be condoned and his W.S. taken on record.

3. Plaintiff filed the say vide Exh. 12 and stated that, the summons was served on defendant on 03/01/2021 he has filed V.P. on 05/01/2021 but not filed W.S. within time. The reason mentioned in the application is not proper. He has also not mentioned how many days delay was caused for filing W.S. Hence, prayed for rejection of the application.

4. Perused the record and proceeding. It reveals that, due to COVID-19 pandemic there were restrictions on traveling and also unavailability of necessary documents defendant was unable to file W.S. within time. But for the just decision of the case that, the delay should be condoned and the W.S. 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 is permitted to file his written statement on record subject to cost of Rs. 300/- be given to the plaintiff.

Date : 15/12/2021.

(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	:	15/12/2021
(d)	Judgment /Order uploaded on	:	15/12/2021