

ORDER BELOW EXHIBIT-70 IN R.C.S.No.706 of 2013

Defendant No. 1-A) i and ii have filed the present application for setting aside Ex-parte order passed against them.

2. It is asserted that, the suit is for partition and possession. During the pendency defendant No. 1-A Bhagwan Kamtane was died. Due to which, defendant No. 1-A) i & ii are added in the suit as legal heirs. Thereafter, the summons were duly served on them but they failed to appear before the Court. Hence, Ex-parte order was passed against them. Defendant Nos. 1-A) i & ii were busy in arrangement of marriage of defendant No. a-A) ii due to the reason they were unable to remain present before the court. Hence, prayed that Ex-parte order be set aside.

3. Plaintiffs filed the say on the application and stated that, the application is objected. Delay is caused for filing application. Hence, by imposing the cost application may kindly be rejected.

4. Perused the application and say. It reveals that, due to arrangement of marriage of defendant No. 1-A) ii defendants were busy. Therefore, they were unable to remain present before the court. Due to which, it is necessary that, defendant should appear and filed written statement for the just decision of the case. Therefore, in the interest of justice it will be proper to allow the application subject to reasonable cost. Accordingly I, pass the following order :

ORDER

1. Application is allowed.
2. Ex-parte order passed is hereby set aside, defendant No. 1-A) i & ii are permitted to file the say and written statement on record subject to cost of Rs.200/- be given to the plaintiffs.

Date : 16/02/2022.

(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	:	16/02/2022
(d)	Judgment /Order uploaded on	:	16/02/2022