

ORDER BELOW EXHIBIT- 17 IN R.C.S.No.850 of 2016

Defendant Nos.1 to 4 have filed the present application to set aside no written statement order dated 27.02.2017.

2. It is asserted that they could not submit their written statement for want of old and relevant documents. Due to which no written statement order was passed against them. They are submitting their written statement along-with the present application. Same be accepted by setting aside the above noted order. Else, they would suffer irreparable loss. Hence, the application.

3. Plaintiffs have filed the say and opposed the application contending that the application is false. There is delay of six/seven months. It cannot be condoned. They have, therefore, prayed for rejecting the application. Alternatively, they have prayed for awarding costs of Rs.5,000/- to them while allowing the application.

4. Perused the record and proceeding. It is seen that the summons were served upon them on 24.11.2016. No written statement order was passed on 27.02.2017. Present application was filed on 05.05.2017. It is, thus, seen that they have filed the present application after a period of 06 months from the date of service of summons. Reason given by them for the delay is that old and relevant documents were not made available to them. Plaintiffs have not specifically negated these facts. Suit has not proceeded much further. Considered thus, an opportunity to

contest the suit can be given to them by imposing costs. Hence, the application is allowed. No written statement order dated 27.02.2017 is set aside and they are permitted to submit their written statement subject to costs of Rs.500/- to be paid to the plaintiffs on or before next date.

Date : 22.06.2017

(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 : 22.06.2017

Order signed by the
presiding officer on : 22.06.2017

Order uploaded on : 22.06.2017

CERTIFICATE

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

Name of Stenographer	:	Bhaskar G.B.
Court Name	:	S.K.Khan, Jt.C.J.J.D.& J.M.F.C. Barshi.
Date	:	10.01.2017
Judgment signed by the presiding officer on	:	10.01.2017
Judgment uploaded on	:	11.01.2017