



ORDER BELOW EXHIBIT 12.
(Passed on this 14th November 2025)

The defendant number 01 and 02 had moved an application for permission to file the written statement after the expiry of the period of prescribed time provided by law and for setting aside the “No W.S order”. It is the contention of defendant No.01 that, there is delay in passing resolution by Gram panchayat office and appointing advocate to look after judicial work and hence, delay was caused in filing the written statement. Defendant No.02 also served with summons but she could not file her written statement within stipulated time because she is not availing important documents in time and hence, delay was caused in filing the written statement within time. Learned Advocate Shri. S.A.Boralkar submitted that, it would cause irreparable loss, if the desired permission is not awarded. He prayed for the desired relief.

2. The plaintiff had filed his say at Exh.14 and opposed the application on the ground that, to prolong the matter, they had not filed written statement within stipulated time and the defendants had not mentioned any sufficient reason for the delay caused. The application is liable to be rejected with heavy costs and if liberal view is taken by the Court then, it shall be subject to cost of Rs.5,000/-.

3. I have perused the application, say thereon and heard advocate for the sides. The suit shall be decided on merits and the rights of the parties cannot be denied only on technical grounds. The delay caused to file the written statement does appear to be inordinate but the denial to file the written statement shall result in injustice to the parties and the suit needs to be decided on merits. The plight of the plaintiff shall not be overlooked and hence, the application shall be allowed by imposing a cost of Rs.1,000/-



upon them. He shall pay the cost of Rs. **1,000/-** to the plaintiff as a condition precedent and thereafter, the written statement filed with the application shall form part of record. Hence, I proceed to pass the following order: –

ORDER

The application at Exhibit 12 is hereby allowed with costs of Rs. **1,000/-** to be paid to the plaintiff by the defendants as a condition precedent. The written statement filed on record shall form of record after the compliance of payment of costs is made.

Date: 14.11.2025

(M. M. Kalyankar)
Civil Judge Junior Division,
Akkalkot.





Certificate

I affirm that, the contents of this PDF file Order/Judgment are same word to word, as per original Order/Judgment.

Name of Stenographer	:- S.PDoke (Grade-III).
Court	:- J.M.F.C.& C.J.J.D.,Akkalkot.
Date	:- 14.10.2025
Judgment/Order signed by the Presiding Officer	:- 14.11.2025
Judgment/Order uploaded on	:- 15.11.2025