



R.C.S. No. 225/2021
Dilip Vs. Digambar
CNRNOMHSO170006312021

ORDER BELOW EXH. 12

This is an application on behalf of the defendant for grant of permission to submit written statement after the statutory period of 90 day's.

02] It is contended by him that due to illness he could not remain present before the Court. Hence, no written statement order came to be passed against him on 05/03/2025. It is his further contention that he was to look after her wife, who suffering from illness. Hence, he could not submit w.s. within time. However, he is submitting the same along with the present application. Hence, he prayed for set aside no written statement order passed against him.

03] Planitiff opposed the application contending that the application is false and prayed for rejection of the application and alternatively prayed for costs.

04] Record shows that the suit is regarding defamation case. Law prefers decision on merit than on technicalities. Hence, in order to decide the lis on merit, presence of the other side would enable the court to reach to the just decision. The inconvenience caused to the other side can be compensated by imposing certain costs on the defendant. Hence, the application is allowed subject costs of Rs. 1500/- payable to the plaintiff.

Date :- 16/07/2026.

(P.G.Lambe)
Jt. Civil Judge, (J.D.), Madha.