

**ORDER BELOW EXH. No. 23 IN R.C.S. NO. 187/2025****(Kavita Bansode and Ors. Vs. Tanaji Khadtare and Ors.)**

Defendant No. 1 has filed application for condonation of delay for filing written statement.

2. Perused the application. Called say of plaintiff.

3. It is submitted by defendant that, defendant No. 1 was suffering from illness and due to unavailability of documents, he was unable to file written statement within stipulated period. Defendant has not purposefully delayed filing of the written statement. If the application is not allowed, he will suffer irreparable loss. Further he prayed for allowing the application.

4. Plaintiff has filed his say and submitted that, contention of the application is not true and legal. The reason stated in the application is also not sufficient. Hence, this application be rejected. Alternatively he prayed for if application is allowed, costs of Rs. 10,000/- be imposed on him.

5. On perusal of the application and say filed by plaintiff, it is clear that, defendant has caused delay for filing written statement. Also, on perusal of reason of delay, it is revealed that, no satisfactory reason has been given by defendant for such delay. But everyone should get a chance to defend his side. One can't be denied of his right to proceed in the case on the reason of delay. Hence, I pass following order :

**::ORDER::**

1. The application is allowed, subject to cost of Rs.500/-. Cost amount be given to plaintiff till next date.
2. Delay in filing written statement will be condoned, after depositing cost amount.

**(M.S. Mali)**

Date : 28/04/2026

Jt. Civil Judge Jr. Div., Mangalwedha.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Order is same word to word, as per the original Order.

(a) Name of the Stenographer : P.T. Jadhav

(b) Name of the Court : Jt. C.J..J.D., Mangalwedha, Dist. Solapur,

(c) Order decided on : 28.04.2026

(d) Order uploaded on : 28.04.2026