



Defendant No. 1 has filed the present application for permission to file written statement on record. He has filed his written statement. Called say of plaintiff.

2. It is submitted by defendant that, defendant no. 1 was suffering from illness and due to unavailability of document, he was unable to file written statement within stipulated period. Defendant has not purposefully delayed filing of the written statement. Further he prayed for allowing the application.

3. 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.

4. Perused the record. It seems that, on due service of suit summons failed to appear before Court, therefore, ex-parte order passed against him on 06.01.2026.

5. If the application is rejected and permission to file written statement is not granted, defendant will suffer heavy loss. He will not get the opportunity to defend himself and lead his case. On the other hand, if the application is allowed, no loss will be caused at the side of plaintiff except delay. One can't vitiate right of any person to defend himself on ground of delay. In the interest of justice, a fair chance, an opportunity should be given to defendant. Hence, I pass following order :

:: ORDER ::

1. Application is hereby allowed subject to cost of Rs.500/-. The cost amount be given to plaintiff till next date.

2. Written Statement will be filed on record, after depositing cost amount.

Date : 28/04/2026

(M. S. Mali)
Jt. Civil Judge J.D., 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