

ORDER BELOW EXH. 21 IN RCS No. 183/2022

1) By this application, defendant Nos. 1 and 2 have prayed for permission to submit written-statement.

2) The plaintiff has opposed the application contending that, there is no prayer for setting aside no WS order.

3) Heard both sides. Perused the record. Suit is for recovery of encroached portion. An agricultural land is subject matter of the suit. Record reveals that, defendant Nos. 1 and 2 were served on 28/09/2022. They recorded their appearance on 01/11/2022. Thereafter, on that day and also on subsequent day, matter was adjourned for their written-statement. Lastly, on 24/01/2023 adjournment was granted for filing written-statement subject to cost of Rs. 400/-. However, again on 17/02/2023 they remained absent and today they are intending to submit their written-statement. No doubt, till today no WS order is not passed. However, time granted for submission of written-statement is already expired. Considering this aspect, facts and nature of the suit, it appears just to allow them to submit their written-statement, so as to decide the matter on merit. Hence, I pass following order ;

O R D E R

1. Application (Exh.21) is allowed.
2. Defendant Nos. 1 and 2 are permitted to submit their written-statement subject to payment of cost imposed earlier by order below Exh. 16.

3. After cost compliance, written-statement of defendant Nos. 1 and 2 shall be taken on record.
4. Cost in cause.

Date: 10/03/2023.

(P. G. Mahalankar)
Jt. Civil Judge, J. D.,
Mohol.

C E R T I F I C A T E

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

Name of Stenographer	: V. A. Dange
Court	: Jt. Civil Judge J. D., Mohol
Date	: 10/03/2023
Order signed by the Presiding Officer	: 10/03/2023
Order Uploaded on	: 13/03/2023