

ORDER BELOW EXH.23 IN R.C.S. NO.157/2017
(CNR NO.MHSO20-000466-2017)
(Shivaji V. Jadhav Vs. Krishna D. Sargar)

Perused the application and say filed by plaintiff side. Heard.
Perused all relevant documents.

This application is filed for setting aside No.W.S order below Exh.1 and permission to file written statement in respect of defendant. In support of contents of present application affidavit is filed stating reason for failure to file written statement within time. Though plaintiff side has objected this application, on perusal of the record, it appears that this suit is filed in respect of an immovable property. The grounds mentioned by plaintiff side in the say are not sufficient to reject this application. As per the order passed below Exh.21, delay caused for filing written statement is condoned subject to costs. Considering the nature of the suit, in order to settle actual controversy between both parties completely, it will be just and proper to allow the defendants side to file written statement on record subject to compliance of order below Exh.21. Considering all facts and circumstances it will be just and proper to allow this application subject to condition to compliance of order below Exh. 21 on or before next date.

Therefore, in view of above discussion, in the interest of justice, I pass the following order.

ORDER

- 1) Present application is allowed in following terms.
- 2) No W.S. order dated 07/06/2018 below Exh.1 is hereby set aside and defendant is permitted to file written statement subject to condition that he shall comply order below Exh.21 on or before next date without fail.

Date:-19/07/2019

(Sachin S. Patil)
Civil Judge, J.D., Sangola.

CERTIFICATE

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

(a)	Name of the Stenographer	:	S.P. Parekar
(b)	Court	:	Shri. S.S. Patil , Civil Judge, J.D.& J.M.F.C.Sangola
(c)	Judgment /Order signed by P.O. on	:	19.07.2019
(d)	Judgment /Order uploaded on	:	19.07.2019