

ORDER BELOW EXH.47 IN Spl.C.S.No. 869 of 2023

This is an application filed by defendants No.1 to condone the delay to file W.S.

2] It is submitted by application that due to illness and to collect some important documents defendant No.1 failed to file written statement within time. Therefore, to decide the suit on merit delay be condoned.

3] The application is challenged by filing say that the reason mentioned in the application is not proper and only to prolong the matter this application is filed. Hence, it be rejected, if allowed costs of Rs.2,000/- be imposed.

4] The defendant No.1 has filed the present application after some delay. The suit is filed for partition and separate possession. The reason mentioned in the application is not satisfactory. But in the interest of justice and proper adjudication of the suit, the delay should be condoned. Therefore, following order is passed.

ORDER

1. Application is allowed.
2. The delay is condoned subject to costs of Rs.300/-, be paid to plaintiff.
3. If applicant fails to comply till next date, the application automatically filed.

Place : Karmala.
Date : 03.05.2024.

(M. P. Ekhe)
Civil Judge Senior Division,
Karmala.

(CNR No.MHSO220051632023)

Spl.C.S.No.869 of 2023

CERTIFICATE

I affirm that, the contents of the this P.D.F file Order/Judgment are same word to word, as per the original order/ judgment

Name of Stenographer : B.R.Kondekar
Court Name : Civil Court Senior Division, Karmala
Date : 03.05.2024

Order/Judgment signed
by the Presiding Officer on : 03.05.2024

Order uploaded on : 03.05.2024