

ORDER BELOW EXH.49 IN Spl.C.S.No.869/2023

Perused the application and say.

2] Heard both the sides at considerable length.

3] The defendant No.1 through this application prayed to set aside the order of 'no W.S.' and permission to file written statement is claimed. As per his contention due to illness and unavailability of some important documents, he could not file written statement within time.

4] The plaintiff has filed say to this application and contended that the reason in the application is false and not maintainable. It is further contended that this application is filed only to prolong the matter. Therefore, the application be rejected.

5] In the light of submissions raised, I have gone through the record. The suit is filed for partition and separate possession and injunction. It is necessary that all the parties should be given an opportunity to challenge the same. Already delay is condoned. Hence, following order is passed.

ORDER

1. The application below Exh.49 is allowed.
2. The order of 'no W.S.' against defendant No.1 is set aside and written statement be taken the on record.

Place : Karmala
Date : 14.06.2024

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

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

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|--|---|--------------------------------------|
| Name of Stenographer | : | B.R.Kondekar |
| Court Name | : | Civil Court Senior Division, Karmala |
| Date | : | 14.06.2024 |
| Order/Judgment signed by the Presiding Officer on | : | 14.06.2024 |
| Order uploaded on | : | 14.06.2024 |