

ORDER BELOW EXH.26 IN Spl.C.S.No.871 of 2023

(Laxman Sawalkar Vs. Surekha Gargade etc)

This is an application for condonation of delay filed by defendant No.4.

2] The defendant No.4 through this application prayed to condone the delay to file written statement. As per his contention due to unavailability of important documents and being a doctor, he could not file written statement within time. There is delay of three months 20 days. Hence, he prayed to condone the delay to file written statement.

3] The plaintiff has filed say to the back page of the application and contended that application is not within limitation. Therefore, the application be rejected. If application allowed costs of Rs.5,000/-be imposed.

4] In the light of submissions raised, I have gone through the record. The suit is filed for declaration and permanent injunction. It is necessary that all the parties should be given an opportunity to challenge the same. At the same time as the matter is prolonged and some inconvenience is caused to plaintiff, it needs to be compensated by imposing costs. Hence, following order is passed.

ORDER

1. The application below Exh.26 is allowed subject to costs of Rs.100/-.
2. Costs shall be given to plaintiff.
3. The delay is hereby condoned.

Place : Karmala
Date : 21.08.2025

(S.M.Ghuge)
Civil Judge, Senior Division,
Karmala, Dist.Solapur

(CNR No.MHSO220051782023)

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 : 21.08.2025

Order/Judgment signed
by the Presiding Officer on : 21.08.2025

Order uploaded on : 21.08.2025