

ORDER BELOW EXHIBIT 23

1. Present application is filed by the defendant number 2 to set aside the ex parte order passed against her dated 10.03.2025. Application is opposed by the plaintiff by filing her say.
2. Perused the application. Considered the say filed by plaintiff. Heard both sides. Perused the record. I have gone through the record. It would show that present suit is filed by the plaintiff for the relief of cancellation of Will deed as well as Probate obtained with respect to suit property. Further, plaintiff has claimed the relief of cancellation of sale deed with respect to the suit property. If the nature of the claim of the present suit of the plaintiff is taken into account, this Court is of the considered view that an opportunity needs to be given to the defendant number 2 to state her case in the matter by filing her written statement. Further, written statement of the defendant number 2 would be helpful to decide the matter on the merits. Considering the facts of the matter as well as the report of service of summon, this Court incline to entertain the present application. No prejudice would be caused to the plaintiff if ex parte order passed against defendant number 2 is set aside.
3. In the result, following order would be just and proper. Hence, the following order:

ORDER

1. Ex parte order dated 10.03.2025 against defendant number 2 is set aside.
2. Application is disposed of accordingly.

Place : Madha.

(R M Karade)

Date : 11-06-2025.

Civil Judge Senior Division, Madha.

C E R T I F I C A T E

I affirm that the contents of this PDF file order is same word to word as per the original order.

- (a) Name of Stenographer : Nagesh N. Konda, Grade II
- (b) Court : CJSD, Madha.
- (c) Order signed by P.O. on : 11 June , 2025.
- (d) Order uploaded on : 11 June , 2025.