

**Order Below Exhibit 143**

The present application is filed by defendant No. 11 for condoning the delay which caused to file her written statement.

**2.** It is the contention of the said defendant that she has been arraigned as a party in a suit. Through advocate, she appeared on 17/10/2024, but could not file written statement within time as she could not obtain requisite documents to file the same. Further, she was absent due to his personal reason during that period. There is a delay of 7 months 23 days to file his written statement. The present suit is for immovable property, therefore, her written statement is requires to be on record, otherwise, it would work injustice on her. Lastly pray to allow the application.

**3.** The application is opposed by the plaintiff on the ground that no any supportive document produced by defendant No. 11 to support her contention. Reason offered to condone the delay is not just and proper. She intentionally not filed her written statement within time and prolonged the matter, therefore, the application cannot be entertained. Lastly pray to reject the application.

**4.** Perused the application and say as well as considered the nature of the suit and claim of the plaintiff against the defendants. Since, the suit

is for partition, declaration and injunction, therefore, written statement of defendant No. 11 is also requires on record to decide the matter effectually and finally as her civil rights are involved in it. Further, if the reason mentioned for condoning the delay cannot be ignored. Hence, to meet the ends of justice and to decide the matter on merit, this Court pass following order.

### **ORDER**

1. The application is allowed and delay in filing written statement is condoned as prayed, subject to cost of Rs. 500/- (Five Hundred Rupees only) payable to the plaintiff.
2. The application is disposed of accordingly.

**(R. M. Karade)**

Date - 24/04/2026

Civil Judge Senior Division,  
Madha.