

ORDER BELOW EXH. 33 IN M.A.C.P. NO. 217/2019
(CNR.NO.MHST01002477-2019)

(Vasant Mane & Ors. Vs. Shakilasike Ali & Ors.)

This is an application filed by applicants for setting aside “No say” order passed below Exh. 28.

2] Respondent No. 4 filed application vide Exh. 28 for deleting his name from the proceeding, in which petitioners have not filed say, therefore, order of “No say” has been passed on 18/07/2022. Thereafter, this application has been filed on 14/09/2022.

3] Respondents filed say to this application and strongly opposed to this application contending that sufficient opportunity was given to the petitioners but they have not filed say within limitation. There is delay for disposal of the case, therefore, cost of Rs. 2,000/- be imposed on them.

4] Application vide Exh. 28 has been filed on 17/03/2022. Till filing this application till 14/09/2022 petitioners have not filed say. They have given reason that petitioner No. 1 was old aged person. He could not come to the Court, therefore, they could not file say on the application filed by the respondents. There is delay for filing this application, it can be compensated by awarding cost. Resultantly, I proceed to pass the following order.

ORDER

- 1] Application is allowed subject to the cost of Rs. 500/- payable to respondent No. 4.

Date : 29/09/2022

(R. K. Rajebhosale)
Ad-hoc District Judge-3
and Member, M.A.C.T., Satara