

ORDER BELOW EXH. 39 IN SPL.C.S.NO. 12 OF 2024
M/s. Jayawant Sugars Ltd. Vs. Raghunath Dhagale & Ors.
CNR NO. MHST020000732024

Defendant Nos.1 to 5 have filed this application for setting aside deemed “No written statement order”. Application filed along with copy of written statement.

02. Plaintiff filed his say on the application itself.

03. Heard. Perused record.

04. Defendants in this application contended that due to illness, they have not filed written statement within time, hence, they are contended that, the application is required to be granted.

05. Plaintiff has instituted present suit for injunction and mesne profit. No specific order as to 'No written statement' is passed. Delay can be compensated in terms of money. Therefore, reasons forwarded is justified. Hence, to decide the case on merit opportunity should be granted to the defendants. Therefore, the technicalities of the procedure should not come in the way of court to deliver justice. Hence, present application is justifiable for reasons mentioned but obviously on cost. Hence, the order.

ORDER

1. Application is allowed.

2. Deemed No W.S. order is hereby set aside on cost of Rs.100/- (Rs.One Hundred only) payable to the plaintiff.

Place : Karad
Date : 30.01.2026

(J.J.Mane)
4th Jt. Civil Judge Sr. Dn., Karad.