

MHST050001132024



ORDER BELOW EXH. 21 IN SPL.C.S.NO. 15 OF 2024
Prakash Dashrath Kamble Vs. Dayanand Dashrath Kamble & Ors.

This is an application filed by defendants to set aside “No W.S. order” passed against them on 23.06.2025. Application is supported with affidavit along with copy of written statement. Plaintiff strongly resisted the application by filing say at Exh.23.

2. Heard. Perused record.

3. Plaintiff has instituted present suit for partition and injunction. Notice was served on 26.02.2024. There is delay of 02 years 01 month 14 days. Delay can be compensated in terms of money. Therefore, the technicalities of the procedure should not come in the way of court to deliver justice. To decide matter on merit opportunity should be granted to defendants. Hence, considering the reasons and delay, present application is justifiable but obviously on cost, therefore, I pass the following order.

ORDER

1. Application is allowed.
2. No W.S. order dated 23.06.2025 passed against defendants is hereby set aside on cost of Rs. 600/- (Rs. Six Hundred only) payable to the plaintiff.

Place : Karad
Date : 20.07.2026

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