

Order Below Exh. No.22 in Spl. C.S. NO. 54/2021

Bank of India Branch Karad

Vs.

Annaso Patil & Ors.

1. The present application is filed defendant no. 2A & 2B for setting aside "no W.S." order. As per present defendants, the delay in filing W.S. was caused due to non receiving of various documents and information. Accordingly, defendants prayed for allowing the application.
2. The plaintiff Bank objected application on the ground that, contents of the application are false. Accordingly, it is prayed to reject the application and in alternative to impose heavy cost in case court comes to the conclusion of allowing application.
3. Perused application. Perused the record. Heard. Record shows that, on 09/04/2021 summons duly served upon defendant No.2A and 2B. They appeared on 20/08/2021. Present application filed on 20.08.2021. Therefore, there is delay of about three months in filing written statement. The reasons mentioned in the present application are not satisfactory reason for such huge delay. However, for the purpose of deciding the matter on merits I think it justifiable to allow the defendant No.2A and 2B to file written statement subject to cost. Hence, the following order:-

Order

1. Defendant no. 2A & 2B are permitted to file W.S. by condoning delay subject to payment of cost of Rs. 100/- to the plaintiff bank.
2. The cost of present application shall be borne by present defendants.

Date :- 04/02/2022
Place :- Karad

(A.P. Kulkarni)
4th Jt. Civil Judge Sr. Div., Karad