

ORDER BELOW EXH. 19 IN Spl.C.S. No.87/2022

01. Perused the application and say. Heard respective counsels.

02. The perusal of the document and application vide Exh. 19 show that there is one year delay in filing the written statement due to reason that the party could not hand over the documents to the counsel for filing the written statement. It is also submitted defendant nos. 1 and 2 were not acquainted with the procedural aspects of the law which also added vigor to the delay. Considering the submissions and say the delay is liable to be condoned and defendants are required to be permitted to file the written statement, otherwise, there would be injustice to the defendant. If the application is allowed then no prejudice would be occasioned to the plaintiff because plaintiff would have right to object or to prove his pleadings. Having regard to abovesaid reasons I am of the view that the delay should be condoned subject to costs because costs would be the reasonable answer for the delay. Considering the period of delay the costs of Rs.500/- is reasonable. Hence, I am inclined to pass following order.

ORDER

1. The application is hereby allowed subject to costs of Rs.500/-.
2. The written statement filed by defendant nos. 1 and 2 be taken on record.

Karad.
Date- 25.08.2023

(V. S. Khot)
Civil Judge Senior Division, Karad.