

Order below Exh.29 in Spl.C.S.No.191/2018.
(Passed on 13/08/2024)
CNR NO.MHST-05000461-2018.

This application is filed by defendant no.1 for setting aside “no w.s.” order. Perused the application, say and entire record. Heard both Learned Advocate. Record shows that, “no w.s.” order was passed on 23/08/2019 and this application is filed on 20/06/2024. No doubt that, due to spread of Covid-19 pandemic regular court functioning was suspended. However, it was suspended since March-2020 till August-2021 only. Therefore, I find force in the submission of Learned Advocate of plaintiff that, no satisfactory reasons are given by this defendant for causing delay before Covid-19 pandemic and after resuming the regular court functioning till this date. However, this is suit for recovery of money and therefore, considering the submission of defendant if this application is allowed subject to costs no prejudice will cause to the plaintiff. On the other hand, matter would be decided on merit finally. Hence, in the interest of justice and fair trial “no w.s.” order dated 23/08/2019 against this defendant is hereby set aside subject to costs of Rs.2,000/- and permission to file his w.s. is granted as prayed. Out of costs amount Rs.1,000/- be deposited to the T.L.S.A., Karad.

Date-13.08.2024.
Place- Karad.

(S.D.Kurhekar)
Jt. Civil Judge Sr. Dn. Karad.