

MHST050007892025



ORDER BELOW EXH.51 IN SPL.C.S.NO. 92 OF 2025
Vaijayanta Jaysing Mulik Vs. Uttam Ganapati Magar & Ors.

This is an application filed by defendant No.2 to set aside “No W.S. order” passed against him on 04.03.2026. Application is supported with affidavit along with copy of written statement. Plaintiff strongly resisted the application by filing say on the application itself.

2. Heard. Perused record.

3. Plaintiff has instituted present suit for declaration & injunction. Delay cannot be ground for rejection. It 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 defendant No.2. 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 04.03.2026 passed against defendant No.2 is hereby set aside on cost of Rs. 200/- (Rs. Two Hundred only) payable to the plaintiff.

Place : Karad
Date : 15.07.2026

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