

Order Below Exh.82

(Passed on : 16th July, 2019)

- 1) Read application and say.
- 2) Heard both respective advocates.
- 3) In the present application it is contention of plaintiff that defendants (1, 5 and 6) have filed their counter claim vide Exh. 29. My learned predecessor passed order of " No. WS." on last date. Due to delay caused in getting certified copies of earlier suit, he did not file their written statement to the counter claim (Exh.29) in stipulated time.
- 4) Considering the ground stated in application, it is much essential to allow defendant/original plaintiff to file their written statement to the counter claim on record. It is quite necessary for determination of the claim of the parties. It is settled principle that opportunity must be given to party to put their defence in order to ascertain their rights. Definitely, no prejudice will be caused to the other side if application is allowed. Hence, I pass order as follow.

ORDER

1. This application is allowed subject to cost of Rs. 300/-.
2. After payment of cost amount written statement of defendant(original plaintiff) be recorded.
3. Amount of cost be given to the plaintiff(original defendant No. 1, 5 and 6).

Karad
Date :-16th July, 2019

(S.S. Vankore)
3rd Jt. Civil Judge Jr.Dn., Karad

