

Order Below Exh. 23 In R.C.S.No.142/2024

Santosh Daji Madane Vs Balu Shyamrao Madane etc.12

MHST 07000972-2024

Perused the application and say filed by plaintiff on it. Heard both parties. Perused the record it appears that, suit is for partition, declaration and injunction. The defendant no.1, 2, 4, 7 to 12 failed to file his w.s. within stipulated period. It has been stated that they did not collect the required documents within a time for filing W.S. and also they can't get sign of defendant within time. similarly summons were served upon defendant. Reasons mentioned in the application seems quite just. The application is strongly contested by plaintiff. However, in order to solve the real dispute between the parties and for effective adjudication w.s. of defendant no. 1, 2, 4, 7 to 12 must be on record. However, at the same time the delay for the trial due to act of defendant no.1, 2, 4, 7 to 12 can't be ignored. As well as suffering caused to plaintiff can't be ignored. Hence, the interest of justice, I proceed to pass following order.

ORDER

1. The application is allowed subject to cost of Rs.400/- each (Rs. Four Hundred only). Cost amount be paid to plaintiff on or before next date.
2. After compliance of the cost amount W.S. should be read & recorded.

Phaltan

(Smt. PS.Bhosale.)

Date : 07/11/2024

3rd Jt Civil Judge, Jr.Dn., Karad.