

**Order below Exh.12**

1] This is an application filed by defendant Nos. 1 and 2 seeking setting aside of the ex-parte order dated 20.02.2025 passed against them. The plaintiff has filed reply and strongly opposed the application. Perused the application, reply, and entire record. Heard learned Advocate for the defendants and learned Advocate for the plaintiff.

2] Record reveals that the defendants were proceeded ex-parte due to their non-appearance after service of summons. However, today the defendants appeared before the Court and have filed their written statement, which is taken on record. In view of their appearance and participation in the proceedings, no prejudice would be caused to the plaintiff if the ex-parte order is set aside. Considering that the defendants have now shown readiness to contest the suit, and to secure a fair adjudication on merits, the ex-parte order deserves to be recalled in exercise of inherent powers under Section 151 of the Code of Civil Procedure.

3] However, the defendants' earlier absence which led to the passing of the ex-parte order has resulted in inconvenience to the plaintiff, and therefore reasonable costs need to be imposed.

4] Hence, in the backdrop of above discussion, I proceed to pass the following order.

**ORDER**

- 1] Application stands allowed.
- 2] Ex-parte order dated 20.02.2025 passed below Exh.1 against defendant No.1 and 2 is hereby set aside.
- 3] The defendant shall pay costs of Rs.400/- to the plaintiff on or before the next date.

**Date** : 21/11/2025

( Shailesh R. Satbhai )  
**Civil Judge Junior Division,  
Seloo.**

**CERTIFICATE**

I affirm that the contents of this P.D.F. file is same, word to word as per the original.

(R. M. Khan)  
Stenographer (Grade-III)