



ORDER BELOW EXH.83 IN R.C.S. NO.137/2022

(CNR No. MHWS02000537-2022)

Vijay @ Pandhari Somani Vs. Satyanarayan Sharma & Ors.

1] Defendants have filed this application, praying that 'no say' order dated 30/04/2024 passed against them below the application Exh.65 be set aside. They have stated that they could not file their say to this application due to illness. According to them, if this application is not allowed, they will suffer irreparable loss. With this, they have prayed that this application be allowed.

2] Plaintiffs have filed their say on overleaf of this application. They have stated that this application is not supported by an affidavit of either of defendants, and it is also not supported by medical evidence as to alleged illness of defendants. With this, plaintiffs have prayed for rejection of this application.

3] I have heard Ld. Advocate Mr. Deshpande for defendants & Ld. Advocate Mr. Biyani for plaintiffs. I have gone through the record of the suit.

4] Having regard to the reason mentioned in this application & taking into consideration nature of the suit, I have no hindrance to hold that this application deserves to be allowed. With this, I proceed to pass the following order -

ORDER

- 1] Application Exh.83 is allowed.
- 2] 'No say' order dated 30/04/2024 passed against defendants below the application Exh.65 is hereby set aside & accordingly, they are permitted to file their say to the said application.

- 3] No order as to costs.
- 4] Parties to the suit shall take note of this order.

Washim.
Date – 05/12/2024.

(S. S. Ubale)
Civil Judge, (Sr. Div.), Washim.

CERTIFICATE

I affirm that the contents of this PDF file judgment/order are same word to word, as per original judgment/order.

- 1) Name of Stenographer :- S. P. Kale (Stenographer G-III)
- 2) Name of Court :- Civil Judge (S.D.), Washim.
- 3) Date :- 05/12/2024
- 4) Order signed by the presiding officer on :- 05/12/2024
- 5) Order uploaded on :- 06/12/2024