

**ORDER BELOW EXH.26 IN Spl.C.S. No.49/2024**  
**Samadhan Vs. Ravi & Others**

The defendants have filed this application for setting aside no written statement order and for permission to file their W.S. on record. As per the defendants on previous date due to wants of some necessary information they could not file W.S. on record. Now the defendants wants to file their W.S. on record therefore it is necessary to set aside the order of no W.S. It is also prays to set aside the exparte order dated 05/12/2024 against the defendant No.1. Hence, prays to allow the application.

2] On the other hand plaintiff has filed say and strongly opposed the application. It is submitted that the reason given by the defendants is not trustworthy. It is submitted that the defendant No.1 refused to take notice hence Court passed exparte order on 05/12/2024 and the defendant No.1 not set aside the exparte order. The defendant No.3 appeared in the present matter on 13/11/2024 and defendant No.2 appeared in the present matter on 08/11/2025. Since they have not filed their written statement within time. Hence, the Court passed no W.S. order against defendant No.2 and 3 on 18/03/2025. Hence, prays to reject the application with costs.

3] Heard both the sides. On perusal of record it appears that on 05/12/2024 the matter is proceeded exparte against defendant No.1. Thereafter, the matter was kept for filing of W.S. of the defendant Nos.2 and 3. On perusal of record it can be easily gathered that the matter was adjourned for several dates for filing of W.S. of the defendant Nos.2 and 3. Even the defendant Nos.2 and 3 have not taken

pains to file adjournment application on record. Lastly on 18/03/2025 no W.S. order came be passed against the defendant Nos.2 and 3 and matter was posted further for the evidence of plaintiff. Hence, it is clear that ample opportunity was granted to the defendants for filing W.S. Still considering the nature of proceeding opportunity needs to be granted to the defendants by setting aside exparte order passed against the defendant No.1 and no w.s. order which is passed against defendant Nos.2 and 3. However, as there are delay and latches on the part of defendants it is necessary to saddle the costs so that the plaintiff may be compensated at least to some extent. Hence, I pass following order

### **ORDER**

Application is allowed subject to costs of Rs.1000/- (One thousand Rupees Only) after depositing the costs W.S. be taken on record.

Washim.  
Date:- 16/03/2026.

**( S. S. Sahasrabudhe)**  
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. V. Dere (Stenographer G-III)
- 2) Name of Court :- Civil Judge (S.D.), Washim.
- 3) Date :- 16/03/2026
- 4) Order signed by the  
presiding officer on :- 16/03/2026
- 5) Order uploaded on :- 17/03/2026