

MHYA200000402024



ORDER
(Below Exh.22)
(Date : 17th November, 2025)

This is an application filed by defendant No.2 seeking permission to file W.S. on record.

2. The application is opposed by the plaintiff.

3. Perused the application and say filed on it.

4. Heard both the parties.

5. The applicant/defendant No.2 submitted that she is residing at Nagpur. She is old aged. Due to her illness, she could not file her W.S. within stipulated time. Now she wants to file her W.S. Hence, prayed to allow the application. On the contrary, the plaintiff opposed the application and submitted that inspite of having knowledge defendant No.2 did not file her W.S. on record. Therefore, on 11.08.2025 no W.S. order came to be passed. Now the matter is fixed for evidence. With intent to prolong the matter defendant No.2 filed this application. Hence, prayed to reject the application with cost.

6. Perused the record. This is a suit for partition, possession and perpetual injunction. Record reveals that no W.S. order against defendant No.2 came to be passed on 11.08.2025 below Exh.1. Now

defendant No.2 wants to file her W.S. on record. Considering the reason mentioned in the application and in order to decide the matter on merit, opportunity requires to be given to defendant No.2 to file her W.S. on record. As delay caused, it can be compensated by imposing cost. Thus, I pass following order.

ORDER

1. The application is allowed subject to cost of Rs.300/- (Rs. Three Hundred Only).
2. The amount of cost be paid to other side on or before next date.

Maregaon.

(K. P. Dawane)

Date: 17.11.2025.

Civil Judge (Jr. Dn.), Maregaon.