

IN THE COURT OF CIVIL JUDGE, S.D., PUNE

Regular Civil Suit No.1976/2016

Mr. Rupesh Pawar -- Plaintiff.

V/s.

Mr. Raghunath Marathe & Ors. -- Defendants.

ORDER BELOW EXH-19

The defendants have filed this application to condone delay of 14 days caused in filing written statement.

2. It is contended that they have filed transfer petition before the Hon'ble Principal District Court and thereby, they could not file written statement within stipulated period. The delay is not intentional. Hence, it may be condoned and opportunity of hearing may be given.

3. It is replied by the plaintiff that the defendants were having knowledge of suit since long and they have intentionally failed to file the written statement. Hence, delay may be condoned by imposing heavy cost.

4. Perused the application and reply. Heard both the advocates.

5. It is an admitted fact that one transfer petition was filed by defendants before the Hon'ble Principal District Judge, Pune. It is a matter of record that the present suit is transferred to this Court by virtue of transfer order. So, the defendants cannot be blamed for causing delay in filing written statement.

6. The suit is in respect of immovable property. The legal interest of both parties are involved. Therefore, it would be appropriate to give an opportunity of hearing without going into the technicalities. Hence, I pass the following order :-

ORDER

- 1) The application (Exh.19) is allowed subject to payment of cost of Rs.500/- to the plaintiff.

Dt.:-03/02/2017
Pune

[S.R.Yadav]
Civil Judge Sr. Division, Pune.

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I affirm that the contents of this P. D.F file judgment/Order are same, word to word, as per the original judgment/Order.

Name of the Stenographer	Mrs. J.S. Tembre,
Name of the Court	Mr. S. R. Yadav, C.J.S.D., Pune
Date of Judgment	03/02/2017
Judgment signed by the P.O on	03/02/2017
Judgment uploaded on	03/02/2017

