



ORDER BELOW EXH.138

This is an application filed by defendant No.47 for setting aside No W.S. Order.

2. It is averred in the application that, the defendant No.47 is a house hold working woman. So it is difficult for her to collect the all related documents from various offices which are necessary and important in this matter. Due to health problem defendant No.47 was unable to file her W.S. within time. Hearing in the present matter has not yet started. If the application is rejected, the defendant No.47 will suffer immense loss and will be deprived of justice. Therefore, she prayed to allow the application.

3. Ld. Adv. for the plaintiff filed his say at Exh.140 and submitted that, application is without any reasonable ground. Reasons mentioned in the above said application are not justified. There is no any supporting document filed by defendant No.47 regarding reason mentioned therein. Hence, application may be rejected with heavy cost of Rs.3000/-.

4. Perused the application and say. To decide matter on the

merit opportunity should be granted to the defendant. Delay can not be ground for rejection. Delay can not be compensated in terms of money. Hence, the order ;

ORDER

1. Application (Exh.138) is allowed.
2. The order of No W. S. against defendant No.47 is set aside on costs of Rs.400/-.

Place :- Latur
Date :-09/11/2023

Sd/-
(Jyoti J. Mane)
2nd Joint Civil Judge, J.D.,
Latur.