

COMMON ORDER BELOW EXH.42 AND 44 IN RCS
NO.321/2022

Application Exh.44 is for condonation of delay in filing written statement and application Exh.42 is for setting-aside No written statement order passed against defendant no.10.

2] It is contended that for personal reason, delay is caused. This defendant has interest in the suit property, hence, it is necessary to allow the applications. If applications are rejected, she will cause irreparable loss.

3] The plaintiff filed say and contended that the reasons given are not proper. Hence, application be rejected with heavy cost.

4] There is delay of 230 days in filing these applications. The defendant no.10 filed pursis to adopt the written statement filed by defendants no.1 to 6. The suit is for declaration, and permanent injunction. Therefore, considering the reason for delay, facts and circumstances, for effective adjudication once for all and to avoid multiplicity of the proceedings, the delay needs to be condoned. The prejudice if any caused to plaintiff, would be compensated by imposing cost. Hence, the order.

ORDER

Applications are allowed, subject to cost of Rs.400/- to be paid on or before next date.

Date : 24/11/2023

(Shri M.S. Bharad)
2nd Joint Civil Judge, Junior Division,
Saswad, Pune

CERTIFICATE

I affirm that, the contents of this P.D.F file are same as per the original.

Name of the Court	: Shri. M. S. Bharad, 2 nd Jt. C.J.J.D. & J.M.F.C., Saswad.
Name of Steno	: P.S. More
Date of order	: 24/11/2023
Order signed by P. O. on	: 24/11/2023
Order uploaded on	: 27/11/2023