

**IN THE COURT OF JOINT CIVIL JUDGE JUNIOR DIVISION,
KALYAN.**

(Presided over by K.M.Jaisingani)

R.C.S. No. 476/2016

(CNR NO- MHTH08-000874-2016)

Bhalchandra Bhudha Futane and 3 ...plffs.

Vs

Devanand Sakharam Patil and 4defts.

Order below Exh. 13.

1] The defendants have filed this application for setting aside “No W.S.Order” .

2] Application is opposed by plaintiffs.

3] None present for defendants. Heard Ld. Counsel for plaintiffs.

4] The defendants have contended that during January 2017 to May 2017, they were oftenly going to their village. They required time for finding out documents relating to this case. Therefore, they could not file W.S. within prescribed time. Application is opposed on the ground that the reasons given by defendants are not proper. On hearing Ld. Counsel for plaintiff, I find that the reasons given by the defendants for not filing W.S. within time are proper. It is just and proper to set aside “No W.S.Order” as prayed for. Hence , I pass following order -

1] Application is allowed.

2] “No W.S.Order” passed against the defendants is set aside on payment of cost of Rs.2000/- payable to plaintiffs till next date.

3] If the cost is not paid, the suit to proceed without Written Statement against the defendants.

Date :-18/06/2018
Kalyan

(K.M.Jaisingani)
Jt. Civil Judge, J.D. Kalyan