

HON'BLE SRI JUSTICE DILIP B. BHOSALE
CIVIL REVISION PETITION No. 2280 OF 2014

P.C:

This C.R.P is directed against the order dated 17-06-2014 passed by the Court below on an application filed by the petitioners bearing I.A No.127 of 2014 in O.S No. 1512 of 2012, whereby their petition seeking permission to contest the suit on merits by filing written statement has been rejected.

The petitioners are the heirs and legal representatives of defendant No.1. They were brought on record during pendency of the suit and served by paper publication. However, they did not appear and, hence, the case was directed to proceed against them ex parte vide order dated 06-06-2013. In this backdrop, I.A No. 127 of 2014 was filed. This Court is informed that C.R.P No.2399, 2376 and 2427 of 2014 filed by other defendants in the present case, has been allowed and they were allowed to cross examine the witness.

In this backdrop, I am inclined to dispose of this C.R.P. Hence, the following order:

“Order dated 17-06-2014 passed on I.A No. 127 of 2014 is set aside and the interim application is allowed subject to the petitioners paying Rs.2,500/- to the respondent – plaintiff, within a period two weeks from today. If the costs is paid to the respondent – plaintiff, as aforementioned, the petitioners would be allowed to contest the suit, in accordance with law.”

With these observations, the C.R.P is disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, J

27-03-2015

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