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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.590 OF 2017

Vijay V. Patil	...Petitioner
V/s.	
Sandip D. Shette	...Respondent

Mr.Anjaykumar Kori I/b Mr.R. G. Panchal for the Petitioner.

Mr.Umesh Mankapure for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 12TH SEPTEMBER, 2018.

P.C. :-

1. By this petition filed under under Article 227 of the Constitution of India, the petitioner has impugned the order dated 7th September, 2016 passed by the learned Civil Judge, Senior Judge, Sangli, rejecting the application (Exhibit - 17) *inter-alia* praying for setting aside the order of “no written statement” passed against the petitioner and for taking the written statement on record.

2. Learned counsel appearing for the petitioner undertakes not to seek any adjournment before the learned Trial Court and to file the written statement within one week from today. His client agrees to pay reasonable cost to the original plaintiff. The statement is accepted.

3. The impugned order dated 7th September, 2016 is quashed

and set aside on the condition that the written statement along with all the documents which the defendant proposes to rely upon would be filed within one week from today with payment of costs of Rs.10,000/- to the original plaintiff within one week from today. A copy of receipt shall be produced before the learned Trial Judge. Payment of costs will be the condition precedent for taking the written statement and documents of the petitioner on record.

4. The writ petition is accordingly disposed of in aforesaid terms. It is made clear that no further extension of time would be granted.

(R.D. DHANUKA, J.)