

2. Learned counsel for the appellant fairly states that though the appellant was directed to supply copy of the plaint and other documents, till today the same are not supplied. Resultantly, it is quite possible that defendant will not be able to file written statement within the stipulated period.

3. I have gone through the order passed by the Court below, in my view taken by the Court below cannot be faulted especially when the litigation has to be decided on its own merits. In that view of the matter, no interference is necessary in the impugned order. The respondents/original defendants are permitted to file written statement within a period of 10 days as directed by the Court below Appeal is dismissed and is accordingly disposed of. No costs. All civil applications are also disposed of.

[V. M. DESHPANDE, J.]