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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR
BEFORE**

HON'BLE SHRI JUSTICE RAJENDRA KUMAR-IV

ON THE 30th OF JANUARY, 2024

MISC. PETITION No. 1102 of 2020

BETWEEN:-

**PRATAP SINGH BAGHEL S/O SHRI RAM BHAROSE,
AGED ABOUT 40 YEARS, OCCUPATION: AGRICULTURE
VILL. ITAI MAZRA, MACHHAND, TEH. MOHANA
(MADHYA PRADESH)**

.....PETITIONER

(BY MR. JITENDRA KUMAR SHARMA - ADVOCATE)

AND

**KAMAL SINGH S/O SHRI NATHOORAM, AGED ABOUT
33 YEARS, OCCUPATION: AGRICULTURE VILL.
MACHHAND TEH. MOHANA (MADHYA PRADESH)**

.....RESPONDENT

(BY MR. R.N. SHARMA - ADVOCATE)

.....
*This petition coming on for hearing this day, the court passed the
following:*

ORDER

Petitioner is aggrieved by the orders dated 07.09.2019 and 05.12.2019 passed by Second Civil Judge, Class-I, Lahar, District Bhind in Civil Suit No.324/2016, whereby Court below closed the right of the defendant to file written statement.

Heard learned counsel for the parties and perused the record.

By the impugned order dated 07.09.2019, trial Court closed the right of defendant/petitioner to file written statement and by order dated 05.12.2019 dismissed the application. It is an admitted fact that written statement could not

be filed by the defendant/petitioner.

Learned counsel for the respondent has no objection, if defendant/petitioner is allowed to file written statement within a stipulated time, subject to payment of heavy cost.

Considering the overall facts and circumstances of the case and submissions made by learned counsel for the parties, **petition is allowed** directing the defendant/petitioner to file written statement within a period of one month from today, on the cost of Rs.5,000/- to be paid when the written statement is filed.

Impugned order shall have no effect.

bj/-

(RAJENDRA KUMAR-IV)
JUDGE

