

MACP No.46 / 2022

Order Below Exh.-1 :

1. The claimant has filed the present petition for getting the compensation on account of sustaining injuries in a vehicular accident.
2. It is pertinent to note here that notice upon the opponent No.1 has been duly served and the said opponent has appeared through his Ld. Advocate but failed to file his written statement and ultimately his right to file the written statement was closed by passing an order below Exh.16.
3. It is further pertinent to note here that opponent Nos.2 and 4 have not been joined in this petition.
4. It is further pertinent to note here that since the date of petition i.e. 21.03.2022, the petition remains on the stage of service of notice upon the opponent No.3 and no address of the opponent No.3 is furnished by the claimant upon which effective service can be made and the petition remains on the stage of service of notice upon the opponent No.3.
5. The Ld. Advocate for the claimant has declared vide purshis at Exh.38 that upon contacting the claimant on her mobile number, it was revealed that such number does not exist and there was no any other contact number of the claimant.
6. Thus, since the date of petition, the claimant has not remained vigilant and is not appearing before the Tribunal. This Tribunal has issued the notice upon the claimant but it has returned unserved and therefore, there is no contact of the claimant.
7. Today, the Court waited but the claimant has appeared. No

application seeking adjournment has also been submitted either. Therefore, it reveals that the claimant is no interest in further proceedings of the matter.

8. Therefore, under the circumstances, the following order is passed:

|| O R D E R ||

1. This claim petition is hereby dismissed for default for non-appearance of the claimant. However, if the claimant appears within seven (7) days from the date of this order, the matter shall be restored, without issuing notice to the opposing party.
2. No order as to cost.

Date: 22.05.2026

Place:Junagadh

(B. G. Dave)
Principal District Judge
Junagadh
[GJ00469]