

GJVD220002342020



Order below Exhibit-1 in MACP No.89 of 2020

Present:

Ld. Advocate Mr.S.K.Joshi, for the claimants.

- 1) The present claim petition is filed by the original claimants for claiming compensation from the opponents for the death of Vijaybhai Kantibhai Tadvī who had expired in the accident dated 29.08.2015.
- 2) The perusal of the record shows that, the applicants had moved an application at Exh.25 to implead Janakbhai Mathurbhai Valand who was the owner of motorcycle bearing registration No.GJ.HN.3453 and IFFCO Tokio General Insurance Co. Ltd. i.e. the insurance company of the above motorcycle as parties. the notice was issued to the parties on the application and Ld. Advocate N.V.Joshi has appeared for the Iffoc Tokio Gen. Insc. Co. and filed the application at Exh.29 for seeking its deletion. This Tribunal vide common order dated 20.01.2026 passed below Exh.25 and 29, had allowed the application of the applicants at Exh.25 qua the insurance company, and it was directed to file the written statement. The application at Exh.29 was disposed of with the observation that the issue whether the insurance company is liable to pay the compensation or not would be decided at the time of passing of final judgment.
- 3) The perusal of the record shows that, since the passing of that order, none has appeared for the insurance company. The perusal of the record of the original claim petition shows that it was filed in the year 2015 and unnecessary delay has already been caused in the present claim petition. Further, the insurance company has failed to file its reply/written statement within the prescribed

period and therefore the right to the insurance company to file the reply is closed and the issues are framed in the present case today itself. Now the case is fixed for the applicant evidence for 10.03.2026.

Signed and pronounced in open court today on this 3rd day of March, 2026.

Date : 03/03/2026

Place: Dabhoi.

**[RAHUL SHARMA]
CHAIRMAN, M.A.C.T. (AUXI.)
DABHOI, VADODARA.
CODE No. GJ01588**