



M.A.C.P No. 37/2024
Zubaidabee + 3 X Ibrahim + 1
MHBU04-001553-2024

ORDER BELOW EXH. 19

Date of Order : 12th September 2025

This is an application filed by the respondent No. 2, to permit him to file written statement.

2. The application has been resisted by the claimants by filing say overleaf the application. It is contended that, respondent No. 2 has received notice on 28/11/2024, however, they have not filed the written statement within stipulated time. Hence, requested to reject the application.

3. Heard Miss. Y.R. Manekar, the Ld. Advocate for the respondent No. 2 as well as Mr. Mohd. Abid, Ld. Advocate for claimants. Perused the application and say as well as proceeding of the case.

4. The record shows that after service of notice respondent No. 2 was appeared on 09/12/2024 through Miss. Y.R. Manekar, Ld. Advocate by filing Memo vide Exh. 12. Thereafter, matter was posted on 07/01/2025, 17/02/2025. On 17/02/2025 the Ld. Advocate for

respondent No. 2 have sought time for time for filing written statement. On 17/02/2025 last chance was granted for filing the written statement and matter posted on 17/03/2025. Thereafter, matter was posted on 08/04/2025, 10/06/2025, 20/06/2025, 11/07/2025 and 30/07/2025. On 30/07/2025, the Ld. Advocate Miss. Y.R. Manekar filed Vakalatnama Exh. 17 and have sought permission for filing written statement.

5. Present application is filed by the respondent No. 2 on 30/07/2023 seeking permission to file written statement. Till today, no written statement order is not passed against respondent No. 2. It has given explanation that, due to unavoidable circumstances, the Insurance Company could not file the written statement within stipulated time. The reason mentioned in the application is justified. Though the claimants have resisted the application, but, there should be opportunity to the respondent No. 2, to contest the claim petition and for that purpose it is necessary to permit it for filing the written statement. If application is allowed then the claimants will not be prejudice. Hence, it would be just and proper to

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permit the respondent No. 2 to file written statement.
Therefore, application deserves to be allowed. In result, I
pass following order :-

ORDER

1. The application Exh. 19 is hereby allowed.
2. Cost in cause.

Khamgaon.
Date – 12/09/2025.

(G. B. Jadhav)
Member,
Motor Accident Claims Tribunal,
Khamgaon

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CERTIFICATE

I certify that this order P.D.F. uploaded is a true
and correct copy of original signed order.

Name of the Court : Member, Motor Accident
Claims Tribunal, Khamgaon.

Name of the Stenographer : Miss H.D Chaudhari,
Stenographer Grade I.

Date of Order : 12/09/2025.

Date of Uploading : 12/09/2025.