

**IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
AHMEDNAGAR.**

(Before : Sudhakar V. Yarlagaadda, Chairman)

MACP NO. 438 OF 2021.

(Savita Sanjay Mali Vs. United India Insurance Co.)

COMON ORDER BELOW EXH.19, 21 AND 23.

Perused these applications and say below Exh.19 and 21. No separate say is filed on Exh.23.

2. Heard learned advocates for the applicants and respondent no.4 -insurance company. Respondent no.1 died on 27.04.2021. His legal representatives are not brought on record in time. The applicants mentioned that, as applicant no.1 is a housewife, applicants no.2 and 3 are minors and applicants no.4 and 5 are aged persons, they could not get the information of the legal representatives of Respondent no.1 who is from adjoining Nasik District and therefore, delay occurred Though Respondent no.4 opposed these applications, it did not bring on record any material indicating that the applicants had knowledge about the names of the legal representatives of respondent no.1. By causing delay, the applicants were unlikely to gain anything. I do not find any sufficient reason to disbelieve their version. Hence, these applications are liable to be allowed and the following order is passed.

1. Applications at Exh.19, 21 and 22 are allowed.
2. The abatement of the matter as against Respondent no.1 due to his death, is set-aside.
3. The delay in bringing his LRs on record is condoned. The applicants to amend the application (Exh.1) and bring the LRs of respondent no.1 as mentioned in Exh.23, in a period of two weeks from today.
4. Costs on the applicants.

Sd/-

(Sudhakar V. Yarlagaadda)

Chairman, Motor Accident Claims-
Tribunal, Ahmednagar.

Date: 08.11.2023.