

**BEFORE THE MOTOR ACCIDENT CLAIM TRIBUNAL, AKOLA.**  
**AT : AKOLA.**

[ Presided over by A. D. Kshirsagar  
Member, M.A.C.T., Akola ]

**ORDER BELOW EXH.08 IN M.A.C.P. NO.105 of 2025.**  
**(CNR No. MHAK010021622025)**  
**( Dated : 12.03.2026)**

By filing this application, opposite party No.3 has sought permission to file written statement after expiry of limitation period.

2. It is the contention of opposite party No.3 that, written statement could not be filed since Legal Officer for opposite party no. 3 was out of station for urgent work. Now, opposite party No.3 wants to file it written statement on record. For that purpose, it has filed application to seek permission to file written statement beyond limitation period. Petitioner has opposed the application and has prayed to reject the same.

3. Heard both sides. Notice of petition has been served on 17.09.2025 to opposite party No.3. Learned advocate for opposite party No.3 has appeared on 06.03.2026. On failure to file written statement within 30 days, written statement ought to have been filed within 90 days. That period has expired on or about 17.12.2025. This application to file written statement is filed on 06.03.2026. Though the written statement has not been filed within 30 days, it has been filed now with application. It is always better to decide the matter after giving opportunity of hearing to both sides. Furthermore Insurer should have an opportunity to contest claim petition because technical defences are also involved. Hence, delay in filing written statement ought to be condoned and written statement shall be taken on record. Hence, following order.

**ORDER.**

1. Application is allowed.
2. Written statement of opposite party No.3 be taken on record.

Date : 12.03.2026.

**( A. D. Kshirsagar )**  
Member,  
M.A.C.T., Akola.

R.S. Shendre (Stenographer Grade II)