

MHBU110003002024



M.A.C.P NO. 22/2024
Rashida B Sheikh Hussain
Vs.
Mohammed Tanvir Mo-
hammed Ayub

ORDER BELOW EXH.18

The respondent No.2 has filed this application for condonation of delay in filing its written statement as it could not file written statement within the stipulated period of 90 days as per Rule 1 of Order 8 of the Code of Civil Procedure.

02. In support of the application the insurance company has submitted that the delay caused in filing its written statement is not intentional, as they could not collect the investigation report of the accident in time. For fair trial and decision of the case, it prayed for permission to file its written statement.

03. The petitioners/Claimants vide their say to opposed the application.

04. Heard Learned counsel for both the parties. The present case is filed for compensation against accident. It is apparent that the respondent No.2 has filed the application and its written statement on record after expiry of statutory period of 90 days after service of notice. Although, there is no justifiable reason given by the respondent for the said delay however, it must be noted that the case is for compensation

under Motor Vehicles Act. The presence of insurance company in effective hearing shall give quietus to the litigation. Therefore, respondent No.2 deserves an opportunity to put up its case before the Court. Accordingly, the application deserves to be allowed in the interest of the justice. Hence, the order :-

ORDER

1. Application Exh.18 is allowed.
2. Written statement be taken on record.

Malkapur.
Dt. 05/11/2025

(R. B. Giri)
Member
Motor Accident Claim Tribunal,
Malkapur

CERTIFICATE

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

Name of Court	:	Adhoc Distirct Judge – 1 & Additional Sessions Judge, Malkapur.
Name of Stenographer	:	Shri. V. S. Jadhav. (Junior Clerk)
Date of order	:	05.11.2025
Date of signed on order by Judicial Officer	:	05.11.2025
Date of Uploading	:	10.11.2025