

**BEFORE THE MEMBER, MOTOR ACCIDENT CLAIM TRIBUNAL,  
MALKAPUR, DISTRICT- BULDHANA**

**Motor Accident Claim Petition No.65/2021  
Old M.A.C.P No.152/2010**

**ORDER BELOW EXH. 89**

MHBU110003262021 **Sagar Rajesh Kharche** ... **Claimants**



**Versus**

**Purushottam Namdeo Kharche ... Opponents**

This application is filed seeking to set aside the order closing to the applicant which came to be passed on 09/01/2023. Ld. advocate representing the applicant states that it was his illness due to which he could not come to the court. Applicant is disabled person. Therefore, he also could not come to the court. The applicant is ready to lead his further evidence as such it is prayed that the order dated 09/01/2023 passed on Exh.1 be set aside and permission be given to the applicant to lead his further evidence.

2. The applicant is strongly opposed by the respondent on the ground that several adjournment have been taken by the applicant to lead further evidence. The reason mentioned in the application is contended to be false. Therefore, the application is sought to be rejected.

3. Having heard both the sides, the reason of illness of the Ld. advocate representing the applicant and also the reason disability of the applicant due to which he could not come to the court on the previous date is found satisfactory. Having regard to the nature of the litigation, one more opportunity can be given tot

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the applicant to lead his further evidence. As such, I pass the following order.

**ORDER**

1. The application is allowed.
2. The order dated 09/01/2023 passed on Exh.1 closing the evidence of the applicant is set aside.
3. The applicant is permitted to lead his further evidence.

Date : 17/01/2023

**(S. V. Jadhav)**  
Member, Motor Accident Claim  
Tribunal, Malkapur.

**CERTIFICATE**

I affirm that the contents of this <u>P.D.F.</u> file order is same, word to word, as per the original order.	
Name of the Stenographer	Balkrishna M. Shilwant.
Court	Adhoc District Judge-1 & Asst. Sessions Judge, Malkapur.
Date	17/01/2023
Order signed by the presiding officer on	17/01/2023
Order uploaded on	17/01/2023