


MOTOR ACCIDENT CLAIMS TRIBUNAL AT MALKAPUR, DISTRICT – BULDHANA	
MOTOR ACCIDENT CLAIMS PETITION NO. 34/2021	
CNR–MHBU11-000392-2021 	Mohit Chetankumar Malpani -Versus- Mohd. Ashraf Mohd. Haroon + 1

ORDER ON EXH. 40

(Date of Order : 22nd April, 2026)

This is an application taking objection for exhibiting the documents filed by the claimants along with list Exh. 30, 34 and 37. The claimant resisted it by filing say at Exh. 52. Read the application and say. Heard Ld. Advocate for respondent No. 2 an Ld. Advocate for the claimant. Perused the record.

2) Ld. Advocate for respondent No. 2 submitted that, the claimant has filed the bills of huge amount along with disability certificate/discharge card. He further submitted that, these medical bills and certificates cannot be exhibited without examining the Doctor and issuing

Member

authorities of the medical bills. He submitted that, those documents are not public documents, therefore, they have to be proved by examining the authors of those documents.

3) Ld. Advocate for the claimant submitted that, the copies of the documents and medical bills are already handed over to respondent No. 2, however, the officers of respondent No. 2 have not verified those documents. He further submitted that, it is the duty of the Insurance Company to verify those documents and then take the objection, if the documents are not found genuine. He further submitted that, the claimant is still under going the medical treatment. He further submitted that, therefore the objection may be rejected and the medical bills and other documents may be exhibited. In support of his submission, he relied on the decision of Hon'ble Supreme Court in **Sharad Singh (Dead) through LR Vrs. H.D. Narang and another (2025 INSC 1164)**.

4) I considered rival submissions carefully. So far as medical bills are concerned, in **Sharad Singh's case**

(Supra), the Hon'ble Supreme Court admitted the medical bills, which were verified by the Insurance Company. In the present case, it is not the case that, the insurance company got verified the medical bills. Ld. Advocate for the Insurance Company herein tried to submit that, though the case was filed in 2013, the claimant recently filed the medical bills, therefore, it is not possible for the company to verify those bills. In number of cases, the Hon'ble High Court and Supreme Court have noted the means and resources available to the Insurance Company and casted duty on the insurance company to get verify such medical bills. It is not the case that, the insurance company in the present case made any such attempt. Therefore, the submissions made on behalf of the insurance company are not acceptable.

5) It may be noted that, the insurance Company can demonstrate by adducing the evidence that the medical bills are forged or false. In that case, those bills can be kept out of the consideration.

Member

M.A.C.P No. 34/2021
Mohit X Mohd. Ashraf + 1
ORDER ON EXH. 40

... 4 ...

CNR-MHBU11-000392-2021

6) In view of above discussion, there is no reason for not giving exhibit numbers to the medical bills. So far as the medical papers/disability certificates is concerned, it should be proved by examining the concerned Doctor. Hence, I pass the following order :-

ORDER

1. All the original medical bills issued by the medical stores and hospital shall be exhibited.
2. Other medical papers/disability certificates shall be proved by the claimant by examining the concerned Doctor or Authority.
3. Objection is decided accordingly.

Malkapur.
Date – 22/04/2026.

(Purushottam B. Jadhav)
Member,
Motor Accident Claim Tribunal,
Malkapur

- - - - -

CERTIFICATE

I certify that this order's P.D.F. file uploaded is a true and correct copy as per original signed order.

Name of Court	:	Member, Motor Accident Claim Tribunal, Malkapur.
Name of Stenographer	:	Miss H.D Chaudhari, Stenographer Grade I.
Date of order	:	22/04/2026.
Date of Uploading	:	22/04/2026.