

**Order below Exh.No.11 in M.A.C.P. No.868/2013.**

1. Present application is filed by the respondent No.2, contending that, due to unavoidable circumstances Company could not file the written statement in time. The opponent wants to contest the petition. If the Tribunal will allow the said application no irreparable loss would be caused to the petitioners and other opponent and no prejudice would be caused to them. It is prayed that No W.S. order be set aside.

2. Petitioners filed say on the application itself and has not raised any objection.

3. Perused the application and say. Considering the contentions in the application it reveals that, due to unavoidable circumstances the respondent No.2 failed to file its say within time. The petition was proceeded without written statement of defendant No.2 as per the order of this Tribunal.

4. Considering the situation and on going through the record, it reveals that, to decide the real controversy between the parties, the written statement of the respondent No.2 is must on record. Further to avoid multiplicity of proceedings, it would be proper to allow this application here. Accordingly, I pass the following order -

**ORDER**

<sup>1</sup> The application at Exh.No.11 is allowed.

- 2 The written statement of respondent No.2 be accepted.
- 3 Respondent No.2 to provide the copies of written statement to the other side.
- 4 Both parties to take note.

sd/-xxx

Place : Dhule.

Date : 09.08.2021.

(H. A. S. Mulla) ,  
Member, Motor Accident Claims  
Tribunal, Dhule.

Certificate

I certify that the contents of this PDF file is word to word as per Original Judgment/Order.

Name of the Steno : J. H. A. Malik,

Name of the Court : Member M. A. C. T. (DJ6), Dhule.

PDF Uploading Date : 10.08.2021

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Stenographer.