



COMMON ORDER PASSED BELOW EXH.51, 52
AND 54 IN M.A.C.P No. 868/2013.
(CNR No. MHDH010031472013)

The application at Exh.51 is filed by the applicants on 26/02/2026 to set-aside the evidence close order passed against them, below Exh.1, on 21/02/2026.

The application at Exh.52 is filed by the respondent no. 3 to set-aside the order of the evidence close passed against it on 26/02/2026.

The application at Exh.54 is again filed by the applicants to set-aside the evidence close order.

02. In fact, all these applications came to be filed before my learned predecessor. Today, when called repeatedly the applicants, respondent no. 3 and their learned advocates remained absent until 03:30 p.m. The motor accident claim is filed in the year 2013 and, thus, matter is more than 13 years old. The perusal of roznama shows that, in fact the matter was posted for the final arguments on 07/03/2026 and, thereafter, it was kept for judgment on 04/04/2026. On 04/04/2026 the written notes of argument has been filed by the respondent no. 3 and on the same day the application was moved by the applicants below Exh.54 to set-aside the order of evidence close.

03. Thus, it appears that when the matter was posted for judgment, the learned advocate for the applicants has filed the said

application. But this being motor accident claim, an opportunity needs to be provided to both the side to lead the evidence on their behalf. In fact, it is for the applicants and the respondent no. 3 to avail the said opportunity, without making any further default. In that view, following order is passed:-

:- ORDER :-

- 1) The applicants and the respondent no. 3 are at liberty to adduce the evidence on their behalf.
- 2) However, both the parties should lead their evidence on the next date without fail.
- 3) If the parties failed to avail liberty provided to them to lead evidence, then this court will have no other alternative except to foreclose the rights of the parties to lead evidence.

Date:- 10/07/2026.

(A.A.Bhosale)
Member, M.A.C.T., Dhule.

Certificate

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

Name of the Steno : A.S.Puranik,

Name of the Court : Ad-Hoc District Judge-4, Dhule.

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Sd/-
Stenographer