

ORDER BELOW EXH.17
IN M.A.C.P. No.756/2019

By filing this application, opposite party No.1 has sought an opportunity to file written statement. In this motor accident claim petition vehicle involved was driven by opposite party No.1. He has failed to appear after service of notice. Hence, ex-parte order has been passed on 24-11-2021.

02. Petitioners have strongly opposed the application. They have claimed costs.

03. Heard both sides. They have made submissions as per their respective stands. It is contended that due to lock down opposite party No.1 could not file appearance. It is always better in the interest of justice to decide the matter on merit after giving opportunity of hearing to both sides. This entails giving opportunity to appear and file written statement to raise defence. Hence, following order.

ORDER

01. Application is allowed.

02. Ex-parte order passed on 24-11-2021 against opposite party No.1 is hereby set aside and written statement is taken on record.

Date :-20-04-2022.

(A.D.Kshirsagar)
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 : T. R. Pankhedkar.
Name of the Court : Court of District Judge-2 & Addl. Sessions Judge, Dhule.
PDF Uploading Date : 20-04-2022.

Sd/-
Stenographer (Gr-I)