



**BEFORE THE COURT OF MEMBER, MOTOR ACCIDENT
CLAIM TRIBUNAL, GONDIA.**

CLAIM PETITION NO. 144/2022
(CNR NO.MHGO010009332022)

Sanjay Donode+1 -Vs- Dudeshwar Gahane+1

ORDER BELOW EXH. 15.

(Passed on this 03rd day of July, 2024)

Perused application. Say of claimant. Present application is filed by respondent No.2 for setting aside the order dated 12/04/2023 passed below Exh.1 whereby claim petition proceeded without reply/written statement against respondent No.2 Insurance Company.

2] It is the contention of respondent No.2 that their counsel had sent dropped copy of written statement in the office of Insurance Company for verification but due to administrative problem and transfer of Legal Manager, there was no responsible person available in the office to look after legal matter, so said written statement remain to be signed. When another manager took over the charge of said office, said fact was came to his notice, so present application is filed making prayer in above respect along with composite written statement on behalf of respondent No.2.

3] Claimant has no objection to set aside the impugned order.

4] Respondent No.2 has shown bonafide by annexing their written statement to the present application which demonstrate that they do not want to drag the matter. Even otherwise claimant has no objection for setting impugned order. Therefore, in order to do substantial justice, I am inclined to set aside impugned order and permit respondent No.2 to file their written statement on record. Hence, I pass following order.

ORDER

- 1] Application [Exh.15] is allowed.
- 2] Impugned order dated 12/04/2024 is hereby set-aside.
- 3] Respondent No.2 is permitted to file written statement on record.
- 4] Written statement filed by respondent No.2 be exhibited.
- 5] Accordingly application stands disposed of.

Gondia.
Dated: 03.07.2024.

(M. T. Asim)
Member, MACT, Gondia.