

MHLA010000792023



M.A.C.P No.9/2023

Ujwala & Ors. Vs. Namdev & Ors.

**ORDER BELOW EXH.40**

(Passed on this 17<sup>th</sup> day of July, 2026)

This is an application for setting aside evidence close order dated 09.06.2026 against the claimants.

2. Heard learned advocate on behalf of claimants. Read the contents of the application. It is submitted by the claimants that on 09.06.2026, learned counsel for claimants was held up in other Court and therefore could not attend the matter and also not adduced any evidence. Thus, order was passed below Exh.1 and their oral evidence stands closed.

3. Admittedly, on 09.06.2026, oral evidence of claimants have been closed by passing order below Exh.1. Now, claimant is ready to adduce evidence of eye witness of the incident. Considering the nature of claim petition, under Section 166 of Motor Vehicles Act in respect of death of Madhukar Supanavr, one opportunity deserves to be given to adduce their further evidence. As respondent No.3 has opposed the application, hence considering the above facts, there is adequate reason placed on record to allow the application subject to costs of Rs.500/-. Thus, I proceed to pass the following order:

**ORDER**

1. Application (Exh.40) is hereby allowed subject to costs of Rs.500/-.
2. After depositing costs of Rs.500/-, petitioners are permitted to adduce their evidence. They have further directed to take necessary steps immediately for issuing witness summons.

**(Sajid A. Syed)**

District Judge-4 and

Ex-Officio Member, Motor Accident  
Claims Tribunal, Latur.

Date-17.07.2026

