

MHLA010009142020



ORDER BELOW EXH.53 IN M.A.C.P No.85/2020
Harshada & Ors. Vs. Aruna & Ors.
(Passed on this 24th day of June, 2026)

This is an application for setting aside evidence close order dated 23.02.2026 against the respondent No.2.

2. Heard learned advocate on behalf of respondent No.2. Read the contents of the application. It is submitted that matter is in respect death of Shri.Kushal and there was dispute of negligent driving in respect of driver of Honda City Car. Thus, insurer wants to examine witnesses in support of their defence. Hence, present application is filed on record.

3. Admittedly, on 23.02.2026, oral evidence of respondent No.2 stands closed by passing order below Exh.1. No dispute about matter was pending since 23.01.2026 to 23.02.2026 for adducing evidence on behalf of insurer, but in vain. All record shows that near about one month has been allotted in favour of insurer for adducing its evidence, but not done so. Thus, the order was passed below Exh.1 on 23.02.2026 and petition is posted for final argument.

4. Admittedly, two vehicles are involved in the accident. The police has registered crime of an accident against the driver of Jeep bearing No.AP-04-TV-0698. The present claim is filed under section 166 of Motor Vehicle Act against the driver of the Honda City car. Considering the nature of claim petition, in respect of death of Shri Kushal, one opportunity deserves to be given to insurer for adducing their evidence, but by saddling cost of Rs.500/- Thus, there is adequate

reason placed on record to allow the application and I proceed to pass the following order:

ORDER

1. Application (Exh.53) is hereby allowed subject to cost of Rs.500/-.
2. respondent No.2 is directed to deposit cost amount on or before 01.07.2026 and thereafter, permission will be granted to lead its evidence.

Date-24.06.2026

(Sajid A. Syed)
District Judge-4 and
Ex-Officio Member, Motor Accident
Claims Tribunal, Latur.