

MHLA010011692022



M.A.C.P No.58/2022

Digambar & Ors. Vs. Umesh & Ors.

ORDER BELOW EXH.77

(Passed on this 25th day of June, 2026)

This is an application for setting aside evidence close order dated 09.06.2026 against the respondent No.3.

2. Heard learned advocate on behalf of respondent No.3. Read the contents of the application. It is submitted that on 09.06.2026, learned advocate for respondent No.3 was in hospital due to surgery and therefore could not attend the matter and also not adduced any evidence or defence. Thus, order was passed below Exh.1 and its oral evidence stands closed.

3. Admittedly, on 09.06.2026, oral evidence of respondent No.3 has been closed by passing order below Exh.1. Now respondent No.3 is ready to adduce evidence in support of their defence on the point of insurance policy. Considering the nature of claim petition, under Section 166 of Motor Vehicles Act and as the petitioners have not filed any say to oppose this application, one opportunity deserves to be given to adduce its evidence. Hence, as per my above discussion, there is adequate reason placed on record to allow the application. Thus, I proceed to pass the following

order:

ORDER

1. Application (Exh.77) is hereby allowed.
2. Respondent No.3 is permitted to adduce evidence in support of its defence.

Date-25.06.2026

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