



ORDER BELOW EXH.55 IN MACP No.240/2020

Jyoti & Ors. Vs. Nagabuva & Ors.

The claimant has filed this application to set aside the order of forfeiture of evidence of claimants' witness.

2. It has been contended by the claimants that the claimants' witness was unable to attend the Court on last date as he was at State of Gujrat and unable to get confirm tickets to come at Latur. If the evidence of claimants' witness is forfeited then the claimant is unable to prove her case, therefore, it is claimed on affidavit to set aside the order passed below Exh.54. The respondent insurance company objected the application on the ground that the claimants are intentionally avoiding to lead the evidence and prolonging the case.

3. Perused application and say. Heard ld. advocate of both the sides. The evidence of claimants' witness is material to adjudicate this claim on merit. So also taking into consideration the beneficial compensation legislation an opportunity is required to be given to the claimants to examine the witness. Therefore, I pass the following order-

ORDER

1. The application is allowed.
2. Order of forfeiture of evidence passed below Exh.54 is set aside.
3. The witness shall subject himself for cross examination forthwith.

(P. P. Kestikar)

Adhoc District Judge-2 and
Ex-Officio Member, Motor Accident
Claims Tribunal, Latur.

Date- 28/01/2026