

MHND010012132018



**ORDER BELOW EXH. 20 in M.A.C.P. No. 155/2018**  
**Asha and another V/s Sahebrao and another.**

This is an application filed by respondent No.2 for setting aside No W.S. order passed against it.

2- It is contended, due to unavailability of documents, advocate of respondent No.2 was not able to prepare W.S. and later on, due to non-confirmation of policy and non-signature of Manager of respondent No.2 on Written Statement, respondent No.2 was unable to file Written Statement. Respondent No.2 is ready to file Written Statement. Hence this application.

3- Petitioner has filed Say and taken objection.

4- This petition is filed for compensation u/sec. 166 of Motor Vehicles Act. Respondent No.2 is Insurance Company. Respondent No.2 has filed Written Statement alongwith this application. Admittedly, summons served to respondent No.2 and respondent appeared through advocate on 06/11/2019. This fact shows, respondent No.2 has not filed Written Statement within stipulated period.

5- Petitioner is claiming compensation from the owner of the vehicle and Insurance Company. Petitioner has taken

objection but has not mentioned any reason for their objection to the application. The reason mentioned in the application is satisfactory. If the application is allowed, it will not cause loss to petitioners, on the other side, it will help to decide petition on merit. Accordingly, by accepting submission of learned Advocate for respondent No.2, I pass following order.

**ORDER.**

- 1- Application is allowed.
- 2- No W.S . order passed against respondent No.2 is hereby set aside and permission granted to file Written Statement on record.
- 3- No order as to costs.

Dictated and declared in open court.

**Date: 19/03/2022**

**( U. V. Indapure)  
Ad-hoc District Judge-2,  
& EOM of MACT., Nanded.**

**CERTIFICATE**

I affirm that the contents of this PDF order are same word to word as per the original order.

Name of the Stenographer :- Sau.J.D.Kapre,Steno(Grade-I)

Court Name :- Ad-hoc District Judge-2 & EOM of M.A.C.T., Nanded

Date of order :- 19/03/2022

Order signed by  
the Presiding Officer On :- 19/03/2022

Order uploaded on :- 21/03/2022