

**BEFORE MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL-1,**  
**NAGPUR**

(Presided over by P. B. Naikwad)

**MACP No.162/2025**

Sunita + 2 Vs. Mansingh + 1

**ORDER BELOW EXH.17**

(Passed on 23<sup>rd</sup> December 2025)

Perused the application and the say filed by petitioner. Heard both learned counsels. Respondent No.2 has filed the present application for setting aside ex-parte/no w.s. order. Learned counsel for respondent No.2 submitted that, matter was not allotted to any panel counsel as the dealing officer has left the job, therefore written statement was not filed within time. Therefore ex-parte order came to be passed. Hence the ex-parte order may kindly be set aside and permission to file w.s. be granted. Petitioner objected the application as the ex-parte order passed on 08.08.2025.

2] Having regard to the submissions made by both learned counsels and considering the nature of dispute I am of the opinion that, it is necessary to give an opportunity to respondent No.2 to defend the claim. Therefore in the interest of justice and for just decision of the claim, it is necessary to grant permission to file ex-parte order by setting aside ex-parte/no w.s. order. However for delay respondent is liable to pay costs. Hence I pass the following order.

**ORDER**

- i) Application is allowed.
- ii) The ex-parte order dated 08.08.2025 passed against respondent No.2 is hereby set aside.
- iii) Permission is granted to file written statement on record, subject to payment of costs of Rs.300/-.
- iv) Respondent No.2 shall deposit the costs of Rs.300/- with legal aid. On depositing the costs w.s. be taken on record.

Date : 23.12.2025

(P. B. Naikwad)  
Member, M.A.C.T.1,  
Nagpur.

**CERTIFICATE**

I affirm that the contents of this P. D. F. file of order are word to word, as per original order.

**(S.R. Chaple)**  
Stenographer (Grade-I)