

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

(Presided over by P. B. Naikwad)

**MACP No.247/2025**

Chanda Vs. The Tata AIG And Others

**ORDER BELOW EXH.17**

(Passed on 26<sup>th</sup> September 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 dated 06.08.2025. Learned counsel for respondent No.2 submitted that, the counsel who was engaged by the respondent No.2 is expired on 11.08.2025 therefore he was unable to take effective steps and written statement was not filed within time. Therefore no w.s. order came to be passed. Hence no w.s. order may kindly be set aside and permission to file w.s. be granted.

2] Learned counsel for petitioner opposed the application and submitted that notice served on respondent No.2 but it did not appear. Today matter is fixed for issues. Hence application kindly be rejected.

3] 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, it is necessary to grant permission to file w.s. by setting aside ex-parte/no w.s. order. Hence I pass the following order.

**ORDER**

- i) Application is allowed.
- ii) The no w.s order dated 06.08.2025 passed against respondent No.2 is hereby set aside.
- iii) Permission is granted to respondent to file written statement. The same be taken on record.

Date : 26.09.2025

(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)