

BEFORE MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL-1,
NAGPUR

(Presided over by P. B. Naikwad)

MACP No.492/2025

Abhijit Vs. Vinay + 1

ORDER BELOW EXH.21

(Passed on 23rd January 2026)

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, written statement is sent for approval by the insurance company, therefore written statement was not filed within time. Therefore no w.s. order came to be passed. Hence the no w.s. order may kindly be set aside and permission to file w.s. be granted.

2] Petitioner by her say opposed the application. Learned counsel submitted that respondent No.2 was appeared on 28.10.2025, still it did not file written statement. Hence application is not tenable. It 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 and for just decision of the claim, it is necessary to grant permission to file w.s. 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 no w.s order dated 03.12.2025 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.200/-.
- iv) Respondent No.1 shall deposit the costs of Rs.200/- with legal aid. On depositing the costs w.s. be taken on record.

Date : 23.01.2026

(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. Chapple)
Stenographer (Grade-I)