

BEFORE MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL-1,
NAGPUR

(Presided over by P. B. Naikwad)

MACP No.723/2025

Ramkhilavan Vs. Shrikant + 1

ORDER BELOW EXH.19

(Passed on 16th April 2026)

Perused the application and say filed by petitioner. Heard both learned counsel. Respondent No.1 has filed the present application for setting aside ex-parte/no w.s. order. Learned counsel for respondent No.1 submitted that, for want of documents as it were misplaced and were not traceable, therefore he could not file written statement on record within time. Therefore no ex-parte/without 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 documents were provided to respondent No.1 but respondent No.1 is prolonging the matter. Hence application is not tenable. It be rejected.

3] Having regard to the submissions made by both learned counsel and considering the nature of dispute I am of the opinion that, it is necessary to give an opportunity to respondent No.1 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 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 16.01.2026 passed against respondent No.1 is hereby set aside.

- iii) Permission is granted to file written statement on record, subject to payment of costs of Rs.500/-.
- iv) Respondent No.1 shall deposit the costs of Rs.500/- with legal aid. On depositing the costs w.s. be taken on record.

Date : 16.04.2026

(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)