

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL, NAGPUR. AT NAGPUR. (Presided over R.S.Salgaonkar, Member, M.A.C.T-2, Nagpur)	
M.A.Claim Petition No.	1060/24
Exh. No.	Below Exh.18
Hemlata Pathe	Petitioner
Versus	
Abir Tours and Travels +1	Respondent

Order as to exhibiting of documents

This is a quasi Judicial proceeding before Tribunal. The basic rules of evidence particularly, about format proof are not applicable to tribunal. Procedure and Powers of accident Claim Tribunal (MACT) are defined in 169 18 of M.V. Act, 1988 which expressly provides for summary procedure. Therefore, for identification purpose, all the documents tendered in evidence are admitted and be exhibited distinctly. Every such document will be read in evidence as this a summary procedure. Medical bills and vouchers are admitted in evidence as per the ratio is the case of **Dr.Dattatray Laxman Shinde V/s. Nana Raghunath Hire [(2011)6 All M R 646 (Bom.)]** dead by Honourable Bombay High Court. It is with rider that, disability certificate (if any) and income certificate from private enterprise (if any) shall not be read in evidence unless formal proof as to contains are given.

The documents admitted are given exhibit number as follows-

Exhibit No.	Description of document
21	True copy of Form AA
22	True copy of FIR
23	True copy of crime details form

24	True copy of Inquest Panchnama
25	True copy of Post-mortem report
26	True copy of Permit
27	True copy of Insurance policy
28	True copy of Driving licence
29	Xerox copy of payment slip
30	Xerox copy of Petitioner No.1
31	Xerox copy of Petitioner No.2
32	Xerox copy of Petitioner No.3
33	Xerox copy of Pass book

[Evidence of witness No.1 for the Petitioner]

On solemn affirmation I depose that

My Name – Hemalata Sudhakar Pathe.

Aged about - 36 Years,

Occupation- Housewife.,

Address- Bhuli, Dist.Chhindwara(M.P).

[Examination-in-Chief by Adv. Shri.P. V. Gupta for Petitioner]-

1] I have tendered my evidence on affidavit. Its contents are true and correct.

[Cross-Examination by Adv.Shri.Nitin Deshmukh for Respondent No.2]-(For insurance)

2] It is true to say that, I am not the eye witness to the accident. It is not true to say that, I am deposing falsely that accident is caused due to negligence of driver of vehicle No. MH/49-BZ-2461. It is not true to say that, I am deposing falsely that my husband was working with Simplex company Butibori, Nagpur. It is not true to say that, I am deposing falsely that he was in permanent employment and earning Rs. 21,500/- per month as salary. It is not true to say that, the documents are false and fabricated. It is not true to say that, my claim is false as well as excessive.

Court Question : Who are occupants of your house?

Answer : Myself, two children and mother and father in law.

Question : Give name of mother and father in law?

Answer : Babybai Shivaji Pathe, age 60 years. Shivaji Kisna Pathe, age approximately 60. resident of my address.

[Cross-Examination by Adv. Shri P. D.Naukarkar for Respondent No.1] – Adopted as above.

[Cross-Examination Completed].

[Re-Examination Nil]

[Read over and admitted to be correct.]

Place : Nagpur

(Ratnakar S. Salgaonkar)

Dated : 25/11/2025

Member, M.A.C.T.-2, Nagpur.