

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

(Presided over by P. B. Naikwad)

**MACP No.1036/2022**

Janardhan Vs. Dinesh + 1

**ORDER BELOW EXH.21**

(Passed on 21<sup>st</sup> November 2024)

Perused the application and the say filed by petitioner. Heard both learned counsels. Respondent No.1 has filed the present application for setting aside ex-parte/no w.s. order dated 01.07.2024. Learned counsel for respondent No.1 submitted that, it was necessary to to search relevant information in respect of transaction 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. Learned counsel for petitioner strongly opposed the said application and submitted that the same is filed intentionally and it be rejected with heavy costs.

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.1 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, however for delay respondent is liable to pay costs. Hence I pass the following order.

**ORDER**

i) Application is allowed with costs.

- ii) The no w.s order dated 22.07.2024 passed against respondent No.1 is hereby set aside.
- iii) Permission is granted to respondent No.1 to file written statement on record. Written statement be taken on record on depositing costs of Rs.500/- with legal aid.

Date : 21.11.2024

(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)