

**BEFORE THE CHAIRMAN, MOTOR ACCIDENT CLAIMS
TRIBUNAL, NAGPUR AND PRINCIPAL DISTRICT JUDGE,
NAGPUR**

[Presided over by Dinesh P. Surana]

M.A.C.P. No.1103 of 2019

Gurudeosingh S/o. Tulasasingh Saini.

--Vs. ---

Javed Khan S/o. Zakhir Khan & 1.

ORDER BELOW Exh.44

[Passed on 18.12.2025]

By this application, the respondent No.1 – owner of the offending vehicle has prayed for setting aside the ex-parte order, contending that he was not served.

2] The petitioner has given no objection.

3] Heard Adv. Taj Khan for the applicant. Advocate for petitioner called absent. Heard Adv. C.B. Pande for the respondent No.2, who orally opposed the application.

4] On perusal of the record, it seems that by order dated 04.07.2023, the non-applicant was ordered to be proceeded ex-parte. He was served by paper publication. His address in the title clause and in one proposal form of the policy receipt filed by him, is same. The claim is of 2019 and is fixed for part heard evidence of the applicant. Therefore, there is apparent delay and latches on the part of the non-applicant in filing the application. However, such delay can be compensated in terms of costs. As such, following order is passed.

ORDER

1] The ex-parte order passed against the non-applicant No.1, dated 04.07.2023, is called back, subject to payment of costs of Rs.3000/-, to be deposited with the office of District Legal Services Authority, Nagpur.

Nagpur.
Date : 18.12.2025

[Dinesh P. Surana]
Chairman, M.A.C.T. and
Principal District Judge, Nagpur.

Case argued on	:	18/12/2025
Order dictated on	:	18/12/2025
Transcription ready on	:	18/12/2025
Order checked and signed on	:	19/12/2025

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CERTIFICATE

I affirm that the contents of this P. D. F. file of Order are word to word, as per original Order.

Name of Stenographer : Ajay P. Bothe
(Grade-I)