

C.PNo. 1237/2019
Rahul Vs United India & Ors

ORDER BELOW EXH.14
(Passed on this 4th day of March, 2025)

This is an application for setting aside evidence closed order passed on 19.09.2024 against the petitioner.

2. Heard learned advocate on behalf of petitioner. Read the contents of the application. It is submitted that due to lack of communication, date of evidence was not informed to the petitioner. Hence, order was passed below Exh.1 on 19.09.2024. Now, the petitioner is ready to adduce his evidence, thus the present application is filed on record to set aside the order passed below Exh.1.

3. Admittedly, issues below Exh.12 framed on 21.07.2024. Since then, the petition is proceeded for recording evidence of petitioner but in vain. Thereafter, on 19.09.2024, order was passed below Exh.1 and petition is proceeded for evidence of respondent No.1. On 19.10.2024, respondent No.1 filed evidence closed pursis vide Exh.13, hence petition is proceeded for final arguments. Now, the petitioner is ready to adduce his evidence, hence filed present application on record. Considering the nature of claim petition under Section 166 of Motor Vehicles Act as well as injury claim, one opportunity deserves to be lies in his favour. As he utterly failed to adduce his evidence since 21.07.2024, therefore, an amount of Rs.850/- be saddled against the petitioner and I proceed to pass the following order:

ORDER

1. Application (Exh.14) is hereby allowed subject to costs of Rs.850/-.

2. The petitioner is directed to deposit costs of Rs.850/- within span of five days.
3. After depositing costs amount, the petitioner is directed to lead his evidence within span of 8 days.

Nagpur
Date: 04.03.2025

(Sajid A. Syed)
Member,
MACT-3, Nagpur.

C E R T I F I C A T E

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

Name of the Stenographer : G.A. Joshi (Grade-I)