

**C.P. No. 1237/2019
Rahul Vs United India**

ORDER BELOW EXH.26

(Passed on this 24th day of September, 2025)

This is an application for setting aside order of no evidence passed today i.e. on 24.09.2025 against the petitioner.

2. Heard learned advocate on behalf of petitioner. Read the contents of the application. It is submitted that the petitioner wants to examine accountant and Dr. Bhatnagar to prove hospital bill and disability certificate. Due to unavoidable circumstances on previous date, he failed to take necessary steps accordingly, order was passed below Exh.1, thus the present application is filed for setting aside the order passed on 24.09.2025.

3. Admittedly, petition was posted for taking necessary steps for adducing further evidence, but in vain. Accordingly, order was passed against petitioner on 24.09.2025. Now, the petitioner is ready to take necessary steps to serve the witness summons to accountant and Dr. Bhatnagar. As the claim petition is under Section 166 of Motor Vehicle Act, it is essential to decide it on merit. No dispute, on the same day, this application is filed for setting aside order passed below Exh.1. Hence, there is adequate reason placed on record to allow an application as prayed for. Accordingly, I proceed to pass the following order:

ORDER

1. Application (Exh.26) is hereby allowed.

2. Accordingly, order passed below Exh.1 in respect of no evidence is set aside.

Nagpur
Date: 24.09.2025

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

CERTIFICATE

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)