

**Motor Accident Claim Petition No.297/2015**  
**(MHNS-07-001522-2015)**

1. Sagar Nimba Bachchav

Vs.

1. Sahebrao Ramchandra Shewale  
2. Bajaj Allianz General  
Insurance Co.Ltd., Yerwada, Pune.

**ORDER BELOW EXH. 36**

I have perused the application and Say filed by the Opponent.

2. In this matter, since the applicant wants to examine two Medical witnesses on his behalf, he has placed an application (Exh.35) for issuance of witness summons to the said two witnesses. However, according to the applicant, said two witnesses are Practising Doctors, they are not able to come before the Court for giving evidence. Hence, the applicant has filed this application (Exh.36) and thereby prayed that the Court Commissioner may be appointed for recording the evidence of said two witnesses.

3. It is well settled that such witnesses like; Practising Doctors, so far as possible, be examined as witnesses through the Court Commissioner. Therefore, in the interest of justice, I pass the following order. :

**ORDER**

1. Learned Advocate Shri. P.M. Kshirsagar is hereby appointed as Court Commissioner to record the evidence of two witnesses mentioned in the application (Exh.35).
2. The applicant shall pay / deposit an amount of Rs.2,000/- ( Rs. Two Thousand Only ) as Court Commissioner Fees.
3. Learned Advocate Shri. P.M. Kshirsagar shall record the evidence of said two witnesses and submit the report thereof on or before **23.10.2021**.

Sd/-xx

**( S.B. Bahalkar )**

Member, M.A.C.T., Malegaon.

Date : 28.09.2021

**CERTIFICATE**

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

Name of Steno	:	M.S. Gharate
Name of Court	:	S. B. Bahalkar, Member, M.A.C.T. Malegaon.
Order delivered on	:	28/09/2021
Order signed on	:	28/09/2021
Order uploaded on	:	28/09/2021

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