

ORDER BELOW EXH.26 IN M.A.C.P. NO.1/2023
(CNR NO: MHRT040000962023)
(Sunita Shamlal Jangid & Ors. Vs. Rohan Rajendra Aute & Ors.)

1. The present application is filed by respondent no.2 for setting aside no say order passed against him on 16.10.2024. It is contended that due to some work respondent no.2 has gone to outside and therefore, he could not able to remain present on dates. Also due to unavailability of some documents and information he could not able to file his say. To file his defence, it is necessary to set aside the no say order. If order is not set aside, harm would be caused to respondent no.2. Hence, prayed to allow the application.

2. The applicants filed their say stating that no proper reason assigned for delay and hence, application be rejected.

3. Heard both sides. The record reveals that the respondent no.2 appeared in the petition on 19.06.2024 through advocate and no say order was passed on 16.10.2024. The present application is filed on 08.10.2025. No any justifiable reason is mentioned in the application. However, considering the nature of proceeding under Motor Vehicle Act which are of summary and beneficial nature and in the interest of justice, an opportunity needs to be granted to respondent no.2 to file his say on record. No doubt, he was non due diligent but fair chance needs to be granted. Valuable rights of the parties are going to be decided in the matter. No prejudice will be

caused to applicant, if the application is allowed. Therefore, in the interest of justice, present application deserves to be allowed. Thus, following order:-

ORDER

Application is allowed.

Khed.
Date-08.10.2025

sd/-
(V.T. Nirgude)
Member M.A.C.T., Khed.

Certificate

I affirm that the contents of this pdf file order are same word as per original order.
Name of Stenographer : S.K.Inamdar

Court Name : Member MACT, Khed.
Date of Decision : 08.10.2025
Order Signed by P.O. on : 08.10.2025
Order uploaded on : 08.10.2025