

MHST010017432023



**IN THE COURT OF MOTOR ACCIDENT CLAIM TRIBUNAL
AT : SATARA**

M.A.C.P NO. 151/2023

Sanjay Thopate-Gaikwad & Anr. ..Applicants

V/s.

Samadhan Asabe & Anr. ..Respondents.

**Coram : Mr.S.R. Tamboli,
District Judge-2, Satara.**

:: ORDER BELOW EXH.22 ::

1. In the instant application, respondent No. 1 prayed to set aside the order of no written statement.

2. The learned counsel for respondent No. 1 submitted that applicants have claimed compensation in regard to the motor vehicle accident caused by S.T.Bus bearing No.MH-20-BL-4158. Respondent No.1 was serving as driver on the said S.T.Bus. Hence, it is necessary to put up his case before the Tribunal. He failed to collect the relevant documents to file his written statement. On account of urgent and unavoidable job he could not manage to gather the required documents as he was required to go out of station on account of his commitment of the work. Hence, he prayed to allow to file the written statement by setting aside the order of no written statement.

3. The application is objected by the learned counsel for the applicants on the ground that the reason given by the respondent No.1 is not proper and reasonable. He did not file written statement

deliberately. He wanted to prolong the matter. Hence, it is prayed to dismiss the application.

4. Applicants have claimed compensation on account of the accident caused by S.T.Bus. At the relevant time respondent No.1 was serving as a driver on said S.T.Bus. In order to resolve the real controversy the contention of the respondent No.1 is necessary. He is an eye witness of the accident. He has also given sufficient reason for his failure to file his written statement in given time. Hence, I think it proper to allow the application. Accordingly, I pass the following order:

ORDER

1. The application is allowed.
2. No written statement order passed against respondent No.1 is set aside.
3. Respondent No. 1 is permitted to file his written statement.

Date: 06.08.2026
Place : Satara.

(S.R.Tamboli)
Member, M.A.C.T.
Satara.