

ORDER BELOW EXH. 20 IN M.A.C.P NO. 122/2019

(CNR NO. MHST-01-001435-2019)

(Radhabai Krushnarao Gaikwad Vs. XPS 'A' Division Transport Corporation of India Ltd.)

1] This application is moved by Respondent No. 2 to set aside the 'No Written Statement' order passed against him and to allow to file a written statement on record.

2] It is alleged that the Insurance Company could not get necessary documents regarding the alleged accident and details of the policy, hence, a written statement could not be filed.

3] The claimant has filed a reply and strongly opposed that the reason mentioned in the application is not proper. He also stated regarding non compliance of NFL claim etc.

4] I perused record. It is a claim filed against Insurance Company. The Insurance Company and other respondents failed to file a written statement therefore on dated 16.12.2019, a claim was proceeded without written statement. The claimant himself alleges about insurance of the vehicle involved in the alleged accident. Therefore, considering the reasons given by respondent no. 2 for delay in filing a written statement, in my view, it will be proper to give an opportunity to Insurance Company. So far as, compliance of NFL order, it is binding as per rules. I proceed to pass the following order:

ORDER

- 1] The application at Exh. 20 is hereby allowed.
- 2] Written Statement filed is read and recorded.
- 3] Order passed below Exh. 1 dated 16.12.2019 is set aside regarding respondent no. 2 only.

Sd/-

Satara.

Date : 23rd November 2021.

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