

MHST01-003257-2023



**ORDER BELOW EXH.16 IN M.A.C.P. NO.229/2023
(Sneha Rananaware & Ors. Vs. Tarif Husen Khan & ors.)**

In the instant application, the opponent No.3 prayed to set aside “No W.S. order.”

02. It is case of the opponent No.3 that “No W.S. order” has been passed against it. The necessary documents were not received by the opponent No.3 and hence, written statement was not filed within time. The claim petition needs to be adjudicated on merit. Hence, it is necessary to give opportunity to opponent No.3 to put its case. Opponent No.3 is the Insurance Company. The time requires for making correspondence. Hence, opponent No.3 prayed permission to file the W.S.

03. The learned Counsel for claimants submitted that necessary orders may be passed in the interest of justice.

04. No doubt, opponent No.3 have not acted as due diligently. However, in the claim petition, it is not proper to apply the strict procedure of C.P.C. Opportunity needs to be given to opponent No.3 in order to resolve the real controversy. In the interest of justice, application deserves to be allowed. In the result, I pass the following order.

ORDER

- 1) Application is allowed.
- 2) The order of “No W.S.” passed against opponent No.3 is hereby set aside.

3) The opponent No.3 is permitted to file its W.S.

Date: 10.07.2025
Place : Satara.

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