

M.A.C.P No.14/2023
Bharat & Ors. Vs. Ashwin & Ors.
CNR No.MHWS010003362023

Order below Exh.15

Respondent No.2 has filed application for setting aside no W.S. order and permission to file written statement on record. Respondent No.2 submitted that he failed to file the written statement within time due to unavailability of necessary information and documents. Now, respondent is ready to file its written statement on record. Therefore, it is necessary to set aside no W.S. order passed against him and permission be granted to file the written statement. Therefore, prayed to grant the application.

2. The claimant has filed say and submitted that they have strong objection for filing this application. Claimant submitted that deliberately respondent did not file written statement on record to prolong this case. Therefore, prayed to reject the application with costs.

3. Heard the advocates of both the sides.

4. Perused the application and objection of claimant. Then I come to conclusion that to decide the case on merits the respondent is required to be given an opportunity to file the written statement. If the application is allowed no prejudice would be caused to the claimant. If application is not allowed respondent will be suffer irreparable loss. Therefore, application can be allowed by imposing costs. Hence following order.

Order

- 1) Application Exh.15 is hereby allowed on cost of Rs.500/- (Five Hundred Only).
- 2) Cost be paid to the claimant.
- 3) After payment of cost written statement be taken on record.
(Dictated and pronounced in open Court.)

Washim
Date : 08/11/2023

Sd/-
(S.S.Ghorpade)
Member
Motor Accident Claim Tribunal, Washim.

<u>C E R T I F I C A T E</u>	
I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order	
Name of the Stenographer :	S.V. Dere, (Stenographer Gr.III)
Name of the Court :	Shri. S S.Ghorpade Ad-hoc District Judge-2, Washim.
Date :	08/11/2023
Order signed by the presiding officer on :	08/11/2023
Order uploaded on :	09/11/2023