

MACC-304/2019
(CNR WBEM-01-00003353-2019)

Present :Sri Shib Shankar Ghosh,JO Code No WBJO -00872 , Motor Accident Claim Tribunal Fast Track 1st Court, Tamruk .

Order No. 25

Dated 04.02.26

Today is fixed for filing of show cause by claimant.

Hajira for claimant is filed.

A petition is filed by claimant setting out the cause to be shown by him.

Few documents by firsties are filed from the side of claimant.

An examination in chief being sworn in by claimant No.1 is filed.

Hajira for insurance company is filed.

Vokatnama is also filed for insurance company. Written statement is filed by insurance company. Petition for vacating the order of ex parte hearing of the case, petition for acceptance of WS and petition for exemption from cause being shown are also filed by insurance company. Copies of all the petitions and WS are served upon ld. Lawyer for claimant.

The petition containing cause as filed by claimant is taken up for consideration. Heard ld. Lawyer for claimant. Perused the petition and record as well. Considered. The cause as shown is accepted. The petition accordingly is disposed of.

The petitions filed by insurance company being interlinked with each other are taken up together for consideration. Heard ld. Lawyer for insurance company. Objection is raised from the side of claimant. Perused the petitions and record as well. Insurance company has filed their written statement. They want to contest the claim of the claimant. Needless to state, every case is required to be disposed of on merit in an adversarial system. As insurance company intends to contest the claim of the claimant, it should be given a chance to do so. Thus, prayer contained in the petition is allowed. The order of ex parte hearing of the case is vacated. Consequently, WS is accepted.

Cont2/

The petitions seeking vacating of the order directing ex parte hearing of the case thus stand disposed of on contest

Claimant is directed to pay the DCF on the next date. He is further directed to furnish up to date bank account details by the next date fixed so that if his claim succeeds, claim amount can directly be credited to his bank account by insurance company

Next date is fixed on 12.03.26 for framing of issues, payment of DCF and furnishing of bank account details by claimant.

sd/-

Typed by me

ADJ, FTC-I, Tamluk
cum MACT, Tamluk,
Purba Medinipur,
JO-WB872