

**BEFORE MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL-1,**  
**NAGPUR**

(Presided over by P. B. Naikwad)

**MACP No.885/2024**

Sima + 4 Vs. Rajiv and Others

**ORDER BELOW EXH.18**

(Passed on 8<sup>th</sup> May 2026)

Perused the application. No say filed by petitioner though opportunity was given. Heard learned counsel. Respondent No.2 has filed the present application for setting aside ex-parte order. Learned counsel for respondent No.2 submitted that, due to miscommunication insurance company did not appear therefore ex-parte order came to be passed. Hence, ex-parte order may kindly be set aside and permission to file w.s. be granted.

2] Having regard to the submissions made by learned counsel and considering the nature of dispute I am of the opinion that, it is necessary to give an opportunity to respondent No.2 to defend the claim. Therefore in the interest of justice and for just decision of the claim, it is necessary to grant permission to file w.s. by setting aside exparte order. Hence I pass the following order.

**ORDER**

- i) Application is allowed.
- ii) The ex-parte order dated 30.08.2025 passed against respondent No.2 is hereby set aside.
- iii) Permission is granted to respondent No.2 to file written statement. The same be taken on record.

Date : 08.05.2026

Sd/-  
(P. B. Naikwad)  
Member, M.A.C.T.1,  
Nagpur.

**CERTIFICATE**

I affirm that the contents of this P. D. F. file of order are word to word, as per original order.

(S.S.Bordikar)  
Junior Clerk