

MAC Case No. 341 of 2016
CIS 376 OF 2016
Order No-64 Dated 13.05.2026

Today is fixed for Hearing.

Claimant files Hazira.

O/P Insurance files Hazira.

It is to be noted herein that the Opposite Party Owner had filed a petition for praying for vacating exparte hearing as well as W/S as well as a petition for accepting W/S.

Copy Served.

Ld. Counsels of both sides are present.

Considering the fact that the wants to contest the suit, this Court is inclined to give one chance to the to Opposite Party Owner contest the suit. However, the hardship caused to the Claimant on account of delay which is of 4 years approx cannot be ignored either which this Court feels can be mitigated to a certain extent by way of cost.

Thus the exparte hearing stands vacated but subject to payment of cost of Rs. 10000/- to be paid to the Claimant.

W/S stands accepted.

Fix 06.06.2026 for Payment of Cost and further Order.

Dictated & Corrected by,

Judge M.A.C.T.

F.T.C 1st Court, Malda.

Judge M.A.C.T.

F.T.C 1st Court Malda.