

MAC Case No: 1076 of 2018
(CIS No.1076/18)
CNR No: WBSP01-017326-2018
Present: Subhra Som Ghosal (J.O Code: WB00984)

Order No. 17, dated: 21.09.2023.

The claimant/petitioner is present by filing hazira through his learned advocate.
The opposite party No. 02 is also duly represented by its Ld. Advocate.

As stipulated by the previous order today is fixed for hearing of petition U/s 169(2) of M.V. Act 1988 [as amended up to date] as filed by the opposite party No. 02 and for S/R & A/D of OP No.1.

On call Ld. Advocates for the petitioner and opposite party No. 02 are found to be present.

Now the case record is taken up hearing the petition under section 169(2) of the Motor Vehicle Act 1988 [as amended up to date] as filed by the opposite party No. 02.

The Ld. Advocate for the opposite party No. 02 submitted in resonance to the petition. The Ld. Advocate for the petitioner in all his fairness submitted that he is ready and willing to supply the copy of documents to the Ld. Advocate for the opposite party No. 02 and necessary order may be passed by this court.

Heard Ld. Advocates.

As per section 169 sub-section (2) of the Motor Vehicle Act 1988 [as amended up to date] the Claims Tribunal shall have all the powers of a Civil Court for the purpose of taking evidence on oath and of enforcing the attendance of witnesses and of compelling the discovery and production of documents and material objects and for such other purposes as may be prescribed.

By filing the petition, the opposite party No. 02 has sought for production of documents as mentioned in the petition. This prayer is akin to Order XI Rule 14 of the CPC. The documents as sought to be produced are also necessary for apt adjudication of this case.

Hence I find the prayer of the opposite party No. 02 is justified by facts and ratified by law. As an obvious outcome the prayer of the opposite party No. 02 is allowed.

To 07.12.2023 for filing written statement by opposite party No. 02.

The petitioner is directed to take fresh steps upon OP No.01.

The petitioner is directed to supply the copy of documents to the Ld. Advocate for the opposite party No. 02, and file compliance in the meantime.

Typed to the dictation directly;
corrected on the system.

Additional District and Sessions Judge,
01st Court, Alipore,
South 24 parganas.

Additional District and Sessions Judge,
01st Court, Alipore,
South 24 parganas.