

**IN THE COURT OF ADDITIONAL DISTRICT JUDGE,
MOTOR ACCIDENT CLAIMS TRIBUNAL
SPECIAL COURT, PASCHIM MEDINIPUR**

MACC Case No. 569 of 2018
CIS 597 of 2018

07

26.11.2019

Today is the date fixed for service return.

It appears from the record that the notice of the present proceedings was issued upon the opposite parties. The same were posted on 04.07.2019 through registered post with A/D cards.

Accordingly, one month is over from the date of post of the articles, neither A/D cards nor the original articles were returned to this Court which attracts presumption of valid service under Order 5 Rule 9 (5) Code of Civil Procedure.

In view of the above facts, it appears that the notice of the present proceeding has been served upon the opposite parties. Accordingly, the service upon the opposite parties is declared as valid.

Today on repeated calls, none appears on behalf of the opposite party no.1.

Accordingly, the case is fixed ex parte against the opposite party no.1.

The Insurance Company has filed written statement. The same is accepted.

The application under section 169(2) of the M.V. Act filed by the Insurance Company is allowed by directing the claimants to handover all the documents to the learned counsel of the Insurance Company in course of the day and file the acknowledgement.

The Officer-in-charge, Jamboni P.S. is directed to submit an Accident Information Report in Form – 54 in terms of section 158(6) of the Motor Vehicles Act, 1988.in connection with Jamboni P.S. case No. 28 of 2012 dated 29.06.2012.

Fix **19.12.2019** for framing of issues and the report of the Jamboni P.S.

**Additional District Judge
Motor Accident Claims Tribunal,
Special Court
Paschim Medinipur**

