

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 20 OF 2018

SILVINA SILVEIRA, REP. BY HER
ATT., AMARESH S. BALLALI,

... Petitioner

Versus

SUNANDA SANDESH DEVIDAS @ NAIK AND
3 ORS.,

... Respondents

Shri Mahesh Amonkar, Advocate for the Petitioner.

Coram:- C. V. BHADANG, J.

Date:- 6th December 2018

ORAL ORDER:

On 17.01.2018, a notice for final disposal was issued to the respondent nos. 1 and 2, who are alone the contesting parties.

2. I have heard Shri Amonkar, the learned Counsel for the petitioner. None for the respondent nos. 1 and 2, though served.

3. Shri Amonkar, the learned Counsel for the petitioners has placed reliance on the decision of this Court in connected Writ Petition Nos. 19/2018 and 21/2018 decided on 26.03.2018, by which, similar order rejecting the application for production of documents and amendment of the written statement, filed by the petitioner was set aside and the petitioner has been permitted to produce the documents and to amend the written statement.

4. In fact, there are three claim petitions, arising out of the same accident and in all the three petitions, there were applications filed for amendment of the written statement and production of the document. The Motor Accident Claims Tribunal (MACT) rejected the applications, which gave rise to the present petition and Writ Petition Nos. 19/2018 and 21/2018. The later two petitions are already decided and allowed. The present petition also involves identical issues and claim. In that view of the matter and for the reasons mentioned in the order dated 26.03.2018, passed in Writ Petition Nos. 19/2018 and 21/2018, the present petition is allowed. The petitioner is permitted to amend the written statement and to produce the additional documents.

5. The petition is disposed of in the aforesaid terms.

C. V. BHADANG, J.

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