

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 596 of 2018

ORDER :

I.A. No. 1468 of 2017 taken out by the petitioner herein in M.V.O.P.No. 492 of 2016 on the file of the Motor Accidents Claims Tribunal-cum-District Judge, Ananthapuramu to receive the counter filed by it, by setting aside the *ex parte* order dated 09.06.2017, was rejected by order dated 16.10.2017. Hence, the Revision.

Heard learned Standing Counsel for the petitioner.

As the M.V.O.P. was filed by the claimants/respondents seeking compensation for the alleged accident, the absence of Insurance Company would put the claimants to sufferance. Hence, considering the fact that the claimants have also expressed no objection for grant of relief, this Court is of the opinion that the Court below ought to have taken some more lenient view in considering the Application *albeit* by putting the petitioner on some terms.

In those circumstances, considering the fact that the delay in filing the counter is about 90 days, the Civil Revision Petition is allowed and the order under revision is set aside, however, subject to the condition of the petitioner paying a sum of Rs.1500/- (Rupees fifteen hundred only) to the respondents. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

02nd February 2018

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