

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 777 of 2018

ORDER :

I.A. No. 1511 of 2017 taken out by the petitioner herein in M.V.O.P.No. 453 of 2014 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 22.05.2017, was rejected by order dated 17.10.2017. Hence, the Revision.

Heard learned Standing Counsel for the petitioner.

As the M.V.O.P. was filed by the claimant/respondent seeking compensation for the alleged accident, the absence of Insurance Company would put the claimant to sufferance. Hence, considering the fact that the claimant has 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 respondent. No costs.

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

CHALLA KODANDA RAM, J

09th February 2018

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