

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**WRIT PETITION NO. 3539 OF 2022**

HDFC ERGO General Insurance Ltd \_\_ Vs. \_\_ Arun Baban Masare and ors

Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

Mr. Amit Kukdayl, Advocate for the petitioners  
Mr. Nitin Bhishikar, Advocate for Respondent Nos.1 and 2  
Ms. Priya Ganar, Advocate h/f Mr. P.D.Meghe, Advocate for Respondent No.3

**CORAM : AVINASH G. GHAROTE, J.**  
**DATE : 30/08/2022**

The impugned order dated 28.4.2022 (page 39) does not indicate that the application for amendment in the written statement filed by the petitioner who was the Defendant No.1 has been decided one way or the other, since the impugned order only indicates that the application is filed and disposed of. It was necessary for the learned Tribunal to have decided the application one way or the other. Since that has not been done, the impugned order dated 28.04.2022 is hereby quashed and set aside and the learned Motor Accident Claims Tribunal is directed to decide Exh.38 by a reasoned order by 12.9.2022.

Parties shall appear before the learned Tribunal on 5.9.2022 and produce a copy of this order to apprise the learned Tribunal of the same.