

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 16148 OF 2025**

Divisional Manager ICICI Lombard
GIC Ltd.

..Petitioner

Versus

Sapna Kiran Karad And Ors.

...Respondents

Mr. Varsha Chavan, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATE : 01st DECEMBER 2025

P.C.:

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 07th August, 2024 passed by the Motor Accident Claims Tribunal, Nashik whereby an application preferred by the petitioner seeking further time to lead evidence, came to be rejected.
3. The learned Member, Tribunal was of the view that, more than a years period was provided to the petitioner to lead evidence in defence. Therefore, the prayer for further time to lead evidence was not sustainable.
4. The learned Counsel for the petitioner submitted that, the evidence which the petitioner proposes to adduce is necessary for the determination of the claim in a just manner. It was submitted that, the evidence could not be led as the Advocate

who represented the petitioner before the Tribunal passed away in the month of December, 2024.

5. Ordinarily, this Court would have been persuaded to take a liberal view of the matter. However, the facts of the case, at hand are gross. The petitioner had sought to summon the Investigating Officer as a Court witness only for the purpose of cross-examination. The said application was rejected. It appears that, the said order was not assailed. The petitioner did not lead evidence. Thus, the Tribunal was constrained to pass an order for closing the evidence of the petitioner. Thereupon, the petitioner preferred an application on 28th January, 2025 to set aside the order. By an order dated 01st February, 2025, the Tribunal set aside the said order of closing the evidence, and permitted the petitioner to adduce the evidence. Yet, for over six months, the petitioner did not adduce the evidence.

6. In these circumstances, having regard to the summary nature of the proceeding and the fact that, the claim petition has been posted for argument since long, the impugned order does not want any interference in exercise of the supervisory jurisdiction.

7. The petition thus stands dismissed.

[N. J. JAMADAR, J.]