



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

926 WRIT PETITION NO. 11767 OF 2025

VANDANA ANAND GAIKWAD AND OTHERS
VERSUS
BALU GAUTAM BHOSALE AND ANOTHER

...

Mr. R. S. Patil h/f Mr. F. K. Patel, Advocate for the Petitioners

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 9th JANUARY, 2026

P.C. :-

1. The Petitioners seek to challenge the order dated 12.02.2025 passed below Exhibit 31 in M.A.C.P. No. 79/2019 by M.A.C.T., Latur.
2. The Petitioners filed M.A.C.P. No. 79/2019 before M.A.C.T., Latur claiming compensation towards death of Anand Gaikwad in motor vehicle accident involving Tractor bearing No. MH-24 L-7093. During proceeding of claim, petitioners submitted an application seeking permission to call Investigation Officer in Crime No. 66/2018 as witness. The learned Tribunal rejected their application by an order dated 12.02.2025, hence this Petition.
3. Learned Advocate appearing for Petitioners submits that Respondent-Insurance Company has raised defence of false implication of vehicle. The applicant seeks to rebut case of Insurance Company and for that purpose wants to examine Investigation Officer. Therefore, prayer was made under application filed below Exhibit 31 which ought to

have been allowed.

4. A perusal of impugned order shows that charge-sheet has been filed in pursuance to registration of Crime No. 66/2018 upon completion of the investigation. A copy of charge-sheet is made part of record and same has been admitted in evidence. The Tribunal was of the view that contents of charge-sheet can be read in evidence, therefore, examination of Investigation Officer may not be necessary. It is trite that the proceedings under the Motor Vehicles Act are summary in nature. The Tribunal can adopt its own procedure and pass necessary orders for expeditious disposal. If the charge-sheet is filed pursuant to the investigation in Crime No. 66/2018 and same is admitted in evidence, claimant can rely upon contents thereof as observed by Tribunal.

5. In that view of matter, no infirmity or jurisdictional error be found in the impugned order. Hence, writ petition stands rejected. It is made clear that in case the contents of charge-sheet are disputed by Insurance Policy and claimant was required under law to prove any documents or contents of charge-sheet, he shall be liberty to move Tribunal again for issuance of summons.

(S. G. CHAPALGAONKAR, J.)

ssp