

**HIGH COURT OF TRIPURA
AGARTALA**

CRP NO.87 OF 2022

Sri Sushanta Ray
Vs.
Smt. Ratna Saha and ors.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

Present:

For the Petitioner(s) : Mr. A. Acharjee., Advocate.

For the Respondent(s) : None.

30.09.2022

Order

This is a petition filed under Article 227 of the Constitution of India to invoke the superintending power of this Court over the Courts below for quashing and setting aside the impugned order dated 04.08.2022 passed by learned Motor Accident Claims Tribunal, Gomati District, Udaipur in Case No.T.S.(MAC)39 of 2020, whereby the learned Motor Accident Claims Tribunal, Gomati District, Udaipur dismissed the petition filed by the claimant under Order 7 Rule 14 of CPC for granting leave of the Tribunal to adduce certain documents which he could not collect earlier and to receive the same.

Heard Mr. A. Acharjee, learned counsel appearing for the petitioner.

The order of the lower Court dated 04.08.2022 is set aside, and the matter is remanded back to the Court below directing the same to give an opportunity to the petitioner herein to adduce certain documents which he could not collect earlier and to receive the same and to decided the matter. The matters under the Motor Vehicles Act need to be taken with a more pragmatic approach as the same is a beneficial legislation and fair opportunity needs to be given to the claimants.

Accordingly, the lower Court order dated 04.08.2022 is set aside, and this instant CRP is allowed.

Consequently, pending application(s), if any, also stands closed.

JUDGE
सत्यमेव जयते

suhanjit