

KAUK720010732023



**IN THE COURT OF THE SENIOR CIVIL JUDGE & PRL.  
JMFC AND ADDL. M.A.C.T., KUMTA, AT: KUMTA,  
UTTARA KANNADA.**

**Dated this the 04<sup>th</sup> day of September, 2025**

**PRESENT**

**Smt. B.S.Rayannawar, B.A., L.L.B.,  
Senior Civil Judge  
& Prl. JMFC, Kumta.**

**MVC. No.406/2023**

**Petitioner:**

Savita S. Shedageri,  
D/o. Shantaram B. Ager,  
W/o. Shankarling Kolekar,  
Aged about 38 years,  
Occ: Household,  
R/o: Hulidevarawada, Shedageri,  
Presently R/o: Baad, Kumta.

(By Sri. J.P.N. - Advocate)

**V/s**

**Respondents:**

1. The Managing Director,  
K.S.R.T.C. Regional Office,  
Dharwad-Hubli Road,  
Hubli.
2. Shaikh Moinoudin D. Khairati,  
S/o. Dadahayath,  
R/o: Near Madni, Masjid Tabib Land,  
Fish Market Road, Kulkarni Hakkal,  
Hubli, Dharwad-582220.

3. The Manager-Reliance General,  
Insurance Company Ltd., CTS#472-474,  
Kalburgi Square Desai Circle,  
Despande Nagar, Hubli-580029,  
Dharwad District.

(R1 by Sri. S.M.B. Advocates)

(R3 by Sri. V.R.B. - Advocate)

(R2 - Exparte)

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**Orders on I.A.No.II filed by the petitioner under  
Order 6 Rule 17 read with Section 151 of CPC**

Present application is filed by the applicant/  
petitioner under Order 6 Rule 17 read with Section  
151 of CPC seeking permission to amend the petition.

2. I.A. supported with Affidavit of petitioner stating  
that, on 09-10-2019 at afternoon petitioner was  
traveling in a KSRTC Bus bearing No.KA-25/F-3016  
from Hubli side towards Ankola and its driver was  
driving it in a moderate speed with great care and  
caution on his proper side. But in the main petition filed  
by her in column No.22, the same is mentioned as Bus  
bearing No.KA-42/F-799 instead of Bus bearing No.KA-  
25/F-3016 due to bonafide mistake. The said mistake is  
not an intentional one. Hence in column No.22 of the

main petition the same may be amended as she was traveling in Bus bearing No. KA-25/F-3016 instead of bus bearing No. KA-42/F-799. If the same not amended great injury and irreparable loss would be caused to her. on the other hand no prejudice would be caused to the other side. Hence, prays to the application.

3. Counsel for respondent No.1 and 3 orally objected to IA No.II.

4. Heard both respective counsels on I.A.No.II. Perused application, annexed affidavit, and other material on record.

5. Petitioner has filed this petition seeking for compensation for the injuries sustained by him in the alleged motor vehicles accident. It is the case of the petitioner that on 09.10.2019 when she was traveling in Bus No.KA-25/F-3016 at that time a bolero vehicle No.KA-25/AA-3749 driven the same in rash and negligent manner and came and dashed to KSRTC Bus No.42/F-799 that driver of the bus No.KA-25/F-3016 also driving the bus in negligent manner and accided in

question took place due the rash and negligent driving by the rider of bolero vehicle and Bus No.KA-25/F-3016.

9. Now the present application is filed by the petitioner stating that on the alleged date of accident she was travelling in Bus.No.KA-25/F-3016, but in her petition coloum 22 by oversight it is typed as travelling in Bus No.KA.42/F-799 hence the mistake crept is not intentional one. This Court perused the entire materials on record. On perusal of the same, this Court opinion that the proposed amendment is a typographical mistake hence if the appliation is not allowed hardship caused to the petitioner. Under these circumstances, this Court opinion that the petitioner has made out a sufficient ground that the proposed amendments to the petition are necessary for the purpose of adujucation of case. Accordingly, I answered point No.1 in the Affirmative.

6. **Point No.2:** In view of my findings on point No.1, this Court proceed to pass the following:

**ORDER**

I.A.No.II filed by the petitioner under Order 6 Rule 17 read with Section 151 of CPC is hereby allowed.

Petitioner is permitted to amended his petition. For amendment and to furnish copy of amended petition by 22-09-2025.

(Directly dictated to the Stenographer to the computer, corrected and then pronounced by me in the open court on this date the 04<sup>th</sup> day of September, 2025)

(B.S.Rayannawar)  
Senior Civil Judge & Prl. JMFC &  
AMACT, Kumta.



(Orders on I.A.No.II is pronounced in the open court, vide separate order)

**ORDER**

I.A.No.II filed by the petitioner under Order 6 Rule 17 read with Section 151 of CPC is hereby allowed.

Petitioner is permitted to amended his petition. For amendment and to furnish copy of amended petition by 22-09-2025.

Senior Civil Judge &  
Prl. JMFC., Kumta

. Hence this affidavit in support of amendment application.

