

The petitioner has filed I.A. under Order VI Rule 17 r/w Sec.151 of C.P.C. to condone the delay in filing the application and to pass such other and further reliefs as stated in the application.

It is stated in the affidavit that at the time of filing the case due to bonafide mistake instead of making New India Assurance Co. Ltd., the insurer of the motor cycle bearing Reg.No.KA-20-EX-1008 was made as a party as respondent No.2. The said mistake happened due to typographical error which is no way connected to the vehicle involved in the accident. The said mistake is neither intentional nor deliberate. Therefore, prays to allow the application.

This court has gone through the objections filed by a New India Assurance Co. Ltd., wherein on perusal of the said objections is nothing but the bare denial. So after having heard from both sides, still the stage is set down for evidence of the petitioner and the amendment application is in time and on perusal of the contents of affidavit, the proposed amendment will not change the nature of the petition and if the proposed amendment is not allowed, then irreparable hardship will be suffered by the petitioner. So in the interest of justice, this court proceeds to pass the following :

ORDER

The application filed under Order VI Rule 17 r/w Sec.151 of C.P.C. is hereby allowed.

The petitioner is permitted to carryout amendment as stated in the application and furnish fresh amended petition by 25.06.2026.

(Santosh Srivastava)

Addl. Senior Civil Judge and A.C.J.M.,
Udupi.