

MHBI010033372022



M. A. C. P No. 379/2022

Nikita W/o. Sunil Dukare & others

Vs.

The New India Assurance Co. Ltd. & another

ORDER BELOW EXH. 27

This application is filed by claimants for addition of party U/O 1 Rule 10 and for amendment of claim U/O. 6 Rule 17 r.w. Sec. 151 of the Code of Civil Procedure.

2. In short, the contention of claimants is that, a daughter was born on 26/11/2022 to deceased Sunil Bhagwan Dukare who died in vehicular accident on 04/08/2022. The claim petition was filed on 14/09/2022. The birth certificate of proposed claimant No.4 is filed on record. Her date of birth is shown as 26/11/2022, as she was born after filing of claim petition, deceased is shown to be her father and claimant No.1 is shown to be her mother. Further Aadhar card of proposed claimant no.4 is also filed on record. Hence, claimant No.4 being daughter of deceased being necessary and proper party can be added as a party. No prejudice would cause to respondent. Hence, considering this, I accordingly allow the application and pass following order;

ORDER

- 1] Application Exh. 27 is allowed.
- 2] Claimants are permitted to add Vanshika D/o. Sunil Dukare as claimant No.4 in claim petition by amending it as prayed.

Beed
Dt.04/05/2024

(Anand L. Yawalkar)
CHAIRMAN
MOTOR ACCIDENT CLAIMS TRIBUNAL
BEED.

Dictated on : 04/05/2024
Transcribed on : 04/05/2024
Checked & signed on : 06/05/2024

I affirm that the contents of this PDF file are word to word as per original Judgment / order.

Name of Steno : S.D. Kulkarni,

Name of Court : Dist. & Sessions Court, Beed,

Sd/-

(S. D.Kulkarni)

Stenographer Grade-I

Dictated on : 21/06/2023

Transcribed on : 21/06/2023

Checked & signed on : 21/06/2023

I affirm that the contents of this PDF file are word to word
as per original Judgment / order.

Name of Steno : S.D. Kulkarni,

Name of Court : Sessions Court, Beed,

Sd/-
(S. D.Kulkarni)
Stenographer Grade-I