



MACP No. 51/2021
Hemant Kashinath patil
versus
Jayram Dasaru Timma

ORDER BELOW Exh.51
(Passed on 09.12.2024)

1. This is an application filed by the Sindhubai Durge contending that she may be added as a party to the claim petition.
2. The learned advocate for the applicant submitted that the deceased was the daughter of the applicant and she used to take care of her prior to the marriage and after her marriage. The applicant is totally depend upon the deceased. One of the daughter namely Purvi is also residing with the applicant. The applicant is taking care of her and hence after the death of the deceased no one is there to look after her. Considering the above facts and circumstances he prayed to allow the application and be added as a party to the claim.
3. The learned advocate appearing on behalf of the claimant 1 to 3 filed his say vide Exh. 53. He stated that it is admitted fact that the applicant is a mother of the deceased. The applicant has made claimant no. 2 Purvi his daughter as a party to the claim petition.
4. The learned advocate further submitted that the applicant Sindhubai Durge is having four sons namely Pravin, Shalimar, Chandan and Pankaj. The elder son Pravin is working at Hyderabad in Private Companay, the second son Shalimar is a contractor, third son Chandan is working in Loyd Company and the last one Pankaj is doing his private business. The husband of the applicant is doing the tailoring job. The applicant is not at all depend upon the deceased daughter. The family has

well earning source and the applicant is not at all related with this claim petition and hence requested to reject the application.

5. Heard both the sides at length and also perused the documents filed on record. So also gone through the claim petition. It appears that Ku. Purvi Hemand Patil is a claimant no. 2 in the claim petition it appears that the applicant is residing separately apart from claimants. It is admitted that deceased was the daughter of applicant but that does not give any right to add as an party to the claim petition.

6. The family of claimant and the family of applicant are totally different. The husband of the claimant is working is doing the business of tailoring work so also the four sons of the applicants are also working in different fields and earning handsome income from their business and company. The applicant is not depend upon the deceased prior to her death. Nothing is brought on record that at any point of time applicant is depend upon the deceased for her livelihood. Considering the above facts and circumstances, I pass the following order.

ORDER

1. The application Exh. 51 in MACP No. 51/2021 is rejected.

Date : 09.12.2024

(Prashant R. Sitre)
Member MACT, Gadchiroli.