

**BEFORE THE COMMISSIONER UNDER EMPLOYEES  
COMPENSATION ACT, LABOUR COURT AT AMRAVATI.**

WC (F) No. 15/2016

Smt. Puja Raut -Vs- Amol Soni and Anr.

**Common Order below Exh.9 and 12**

The applicant has filed present applications for addition of party so also for permission to amend the petition. As per the applicant, the Nonapplicant no.1 has filed his written statement and in that W.S he has mentioned that vehicle in question was insured with proposed NA.No.3. Hence it is necessary to add proposed N.A. No.3 in the proceeding. So also it is necessary mention the pleading in respect of him. Hence the applicant prays to grant permission to add the proposed Nonapplicant so also permission to amend petition.

2] Say of proposed Nonapplicant was called. However, after appearing in the present case the proposed N.A New India Insurance Co. Ltd. has not filed say whereas they have filed written statement on record.

Following points arise for my determination. The same are reproduced below alongwith my findings thereon.

<u>Points</u>	<u>Findings</u>
1) Whether it will be just to add proposed N.A. No.3 New India Insurance Co. to the present proceeding ?	Yes
2) Whether the amendment as sought can be allowed ?	Yes
3) What order ?	As per order below.

**Reasons**

3] On perusal of record, it appears that vehicle inquestion was insured with proposed N.A No.3 i.e. New India Insurance Co. Ltd. Considering this fact, in my opinion, the proposed N.A. No.3 is necessary

party to the present proceeding. Hence it will be just and proper to add him as Nonapplicant no.3. Certainly if the Nonapplicant no.3 is added to the present proceeding, it is necessary for the applicant to plead in respect of him. On perusal of the proposed amendment mentioned in application Ex.12 it is clear that the amendment is necessary to decide the controversy. Hence considering this fact, in my opinion, the application for addition of party so also for amendment of petition is liable to be allowed. Hence I answer point no.1 and 2 in affirmative and in answer to point no.3 I pass following order.

**Order**

The applications are allowed.

New India Insurance Co. Ltd. Divisional Office, Amravati be added as Nonapplicant no.3.

The applicant has to carry out the amendment as sought in application Ex.12 within stipulated period of 14 days. So also he is directed to file amended copy of petition on record. The petitioner is directed to supply the amendment copies to all the Nonapplicants.

Sd/-

Amravati  
Dt. 28.4.2017

( S.S.Sahastrabuddhe)  
Commissioner W.C Act  
Labour Court, Amravati

