

MACP No.139 of 2022

ORDER BELOW EX.18

1. Heard Ld. Advocate Mr. Bafna for the applicant and Ld. Advocate Ms. S. Z. Chitte for insurer. Perused the application say and the record.

2. The applicant No.1 has filed the application for discharging the applicant No.5 i.e. Rakama Devi as she has expired on 27.11.2022.

3. It is contention of applicant No.1 that while the claim application was filed at that time the applicant No.5 who is the mother-in-law of the applicant No.1 was alive. However, the applicant No.5 Rakama Devi expired on 27.11.2022. In support of the contention the applicant No.1 filed the death certificate.

4. Per contra the Ld. Counsel for the insurer accorded no objection.

5. On perusal of the claim petition, it can be seen that deceased Rakama Devi, the mother of the deceased has filed the claim petition along with the other four applicants. The death certificate submitted along with application reveals that the Rakama Devi is reported to be dead on 27.11.2022 at Tawab, Jaswantpura, Jalore.

6. In view of the no objection so also as the applicant No.5 Rakama Devi has expired on 27.11.2022 therefore her name needs to be deleted. Hence, the following order.

ORDER

1. The application is hereby allowed.
2. The appicant No.5 Rakama Devi is hereby discharged.
3. The counsel for the applicant shall carry out necessary amendment in the claim petition.

Date : 29.07.2025

(M. I. Arland)
Chairman,
MACT, Mumbai