

MACP No.231 of 2023

ORDER BELOW EX.21

1] Heard Mr. P. S. Pandey, the learned advocate appearing for applicant and Mr. H. C. Thanawala, Advocate for insurer. None appeared for the opposite party.

2] This is an application filed by the applicant for amendment in the claim application.

3] It is the contention of the applicant that the claim petition is filed on account of injuries sustained to Sanjana Sharma in a vehicular accident. However, On perusal of Aadhaar Card and PAN Card of Injured Applicant **Sanjana**, it seems that she has attained the age of majority on date. As the applicant has attained the age of majority, therefore the amendment should be made in the claim petition.

4] It is also contended that the said amendment will not change the nature of petition. Moreover, the opposite party and insurer will get the chance to defend their case. Therefore, the amendment is necessary and the same will not change the nature of the petition and no prejudice will be caused to the opposite party and insurer.

5] Per contra, Insurer has not specifically objected for deleting the name of next friend and amendment in clause title.

6] On going through the application of amendment in the light of averments in pleading, it is seen that the

amendment sought is bonafide and will not change the nature of the petition. The Court is satisfied that the proposed amendment is necessary for the purposes of determining the application. Hence, I proceed to pass following order.

ORDER

- i] The amendment application is allowed.
- ii] The applicant is allowed to amend the Claim Application within 7 days.

Date : 16.07.2025

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