

**BEFORE MEMBER, MOTOR ACCIDENT CLAIMS**

**TRIBUNAL-1, NAGPUR**

(Presided over by P. B. Naikwad )

**M.AC.P. 490/2025**

Hemant Vs. Sanwar + 1

**ORDER BELOW EXH.17**

(Passed on 10<sup>th</sup> March 2026)

Perused the application and the say filed by respondent No.1. Heard both learned counsels. Applicant has filed the present application for bringing LR's of deceased on record. Learned counsel submitted that initially injury claim was filed however during pendency of petition claimant Hemant died. Therefore it is necessary to bring his legal representative on record. Applicant Abhishek being brother is the only legal representative of deceased. Parents of deceased are no more. Death certificates to that effect are filed on record. Hence application be allowed.

2] Respondent No.1 by his say strongly opposed the said application. Learned counsel submitted that application is filed after two months. Hence the same is not tenable, it be rejected.

3] Having regard to the submissions made and after going through the documents produced on record I found that petitioner Hemant Dhurve died on 13.09.2025 during pendency of petition. Applicant Abhishek is his real brother. He has produced death certificate of parents of deceased below list Exh.22. From said documents it is clear that parents of deceased are no more and applicant Abhishek is the only surviving legal representative of deceased. As application is filed within prescribed period therefore in view of provisions of Section 166(5) of the Motor Vehicles Act, the same needs to be allowed.

Hence the following order.

**ORDER**

- i) Application (Exh.17) is allowed.
- ii) Permission is granted to bring legal representative of deceased petitioner on record.
- iii) Applicant to carry out the amendment forthwith and shall file amended plaint at earliest.

Date : 10.03.2026

(P. B. Naikwad)  
Member, M.A.C.T-1,  
Nagpur.

**CERTIFICATE**

I affirm that the contents of this P. D. F. file of order are word to word, as per original order.

**(S.R. Chaple)**  
Stenographer (Grade-I)