

BEFORE MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL-1,
NAGPUR

(Presided over by P. B. Naikwad)

M.AC.P. No.1065/2023

Tukaram Through LR's Vs. ICICI Lombard + 1

ORDER BELOW EXH.22

(Passed on 19th July 2025)

Perused the application and the say filed by respondent No.1. Heard both learned Counsels.

2] Petitioner/applicant has filed the present application for amendment. Learned counsel for petitioner submitted that, present petition was filed by original claimant Tukaram for the injuries sustained by him in accident dated 21.09.2023. But during treatment he died due to accidental injuries. Therefore his legal representative is brought on record. Now she wants to amend the petition. Hence application be allowed and permission to amend petition be granted.

3] Respondent No.1 by its say strongly opposed the said application. Learned counsel for respondent No.1 argued that, application is not tenable as the same came to be filed belatedly. Therefore it be rejected.

4] Having regard to the submissions made by both learned counsels and after going through the material on record I found that the proposed amendment does not change the nature of claim. Moreover due death of original petitioner proposed amendment is necessary. Therefore for just decision of case permission to amend needs to be granted. No prejudice will be caused to respondents if the amendment is allowed. Therefore I pass the following order.

ORDER

- i) Application (Exh.22) is allowed.
- ii) Petitioner to carry out amendment within seven days.
- iii) Respondents are also entitled to carry out consequential amendment in their written statement, if they so desire.

Date : 19.07.2025

(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)