

MHNS010020492023



Upendrasingh]
Ramsingh Bundele]

Petitioner

Vs.

Mahendra Dashrath]
Pote and another]

Respondents

Order below Exh.15 in M.A.C.P No.273/2023

1] Perused the application and heard learned Advocate appearing for petitioner.

2] It was submitted that, the Sujal Upendrasingh Bundele was met with an accident on dated 19/01/2023 and sustained the accidental injuries and died. During the pendency of petition, respondent No.1 had died on dated 07/06/2023. Therefore, application (Exh.15) is filed for bringing his legal representatives on record and for carrying out other necessary amendment in the main petition.

3] It appears from the record that, on dated 07/06/2023 respondent No.1 had died and his legal representatives are required to be taken on record. Notice to proposed legal representatives of respondent No.1 was issued. They appeared and filed written statement to the main claim-petition.

4] Considering the facts of the case and proposed amendment, if the application is allowed as prayed, it will not change the nature of proceeding. The right to sue survives against the L.Rs. of respondent No.1, therefore, L.Rs. of respondent No.1 are necessary party and hence, if they are taken on record, no

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prejudice will be caused to the respondent No.2 and matter will be heard on merits after hearing both parties. Therefore, application deserves to be allowed. Hence, I pass the following order :-

ORDER

- 1] Application Exh.15 is allowed.
- 2] Legal representatives of the respondent No.1 be taken on record within stipulated time as per rules.
- 3] Petitioner to make necessary compliance and to file on record amended copy of the main petition and supply it to the respondents.

(Dictated, delivered and pronounced in an open Court)

Date :- 02/05/2025

Nashik.

(S.D.Jagmalani)
Member,
Motor Accident Claims Tribunal,
Nashik.