

CNR.No.MHSI0010000872019



Order below Exh.18 in M.A.C.P.No.47/2022

(Swapnaja Sachin Poipkar Vs. Maharashtra State Road Transport Co.Ltd Mumbai etc.3)

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This application has been filed by the claimant for carrying out amendment in the petition.

2. It is stated by the claimant that she has filed the present claim petition for getting compensation for her damaged vehicle. In the petition she has wrongly mentioned the time of accident as 15:36 hrs. instead of 7.45 hrs. According to her due to inadvertence, the time has been wrongly mentioned, which needs to be corrected. She therefore, prayed for allowing the application.

3. Opponents, opposed the application by filing reply (Exh.19). They, stated that the present application filed as such is nothing but an attempt to prolong the matter. The application has been filed with malafide intention. No such correction is required and therefore, they prayed for rejection of the application.

4. It is seen that the petitioner in the petition has mentioned the time of accident as 15:36 hours, which she now wants to replace it by 7:45 hrs., which according to her is the correct time of the accident. It is evident from the first information report that the incident/accident took place at 7:45 hrs. Thus, it appears to be a mistake on the part of the applicant to mention the correct time. No prejudice will be caused to the opponents, if the time of the accident which is also referred in the first information report, is corrected in the petition. The proposed amendment will not change the nature of the petition. In such circumstances, it will be just and proper to allow the applicant to carry out amendment. Hence, I pass the following order.

(2)

-:-ORDER-:-

1. Application Exh.18 is allowed.
2. Petitioner to carry out amendment in the petition within a period of 14 days from the date of this order and thereafter shall place on record the amended copy of the petition and supply a copy to the respondent.
3. No order as to costs.

Sd/-xxx

Date :-06/01/2024

(H.B. Gaikwad)
Chairman
Motor Accident Claim Tribunal
Sindhudurg at Oros