

M.A.C.C. no.113/2018
CIS No.113/2018 (CNR No.WBBB01-001327-2018)

34

03.04.2024

Today is fixed for evidence.

One petition for time to adduce evidence is filed on behalf of the claimants. Another petition is filed from taken off the record from P.Board.

On behalf of the claimants one application for amendment under order 6 rule 17 read with section 151 of CPC is filed, copy of which has already been supplied.

On behalf of the insurance company lawyer's hazira is filed.

Heard. Considered. Prayer for time to adduce evidence is allowed.

The record is taken off from the P.Board.

At this stage the application for amendment is taken up for hearing.

Heard the Ld.advocate for the claimants who submits for change of the claim petition from section 166 to section 163A of the M.V. Act. That apart he proposes to reduce the income of the deceased of Rs.8000/- per month to Rs.3000/- per month.

Ld.advocate for the insurance company raises no objection.

Contd.....

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34 (contd....)

03.04.2024

Perused the application for amendment and the case record.

Considered.

It seems to me proposed amendment if allowed will not change the nature and character of the proceeding and this amendment are necessary for proper and effective adjudication.

Accordingly the application for amendment under 6 rule 17 read with section 151 CPC is allowed on consent without cost. Let it be noted in the original claim petition.

Claimants are directed to file amended copy of the claim petition by the date fixed.

Claimants are directed to put fresh requisite for service of notice upon registered owner of the vehicle in the meantime.

To 12.06.2024 for SR of the OP/owner and additional W/S by the insurance company, if any.

Dictated and corrected

Judge, M.A.C.Tribunal,
Suri, Birbhum

Judge, M.A.C.Tribunal,Suri, Birbhum
cum-Addl.Dist.Judge, 4th Court, Suri
JO Code-WB00646