

M.A.C.C 10 of 2022
CNR No. WBBK09000303-2022

Order No. 18
Dated 03-09-2025

Today is fixed for hearing of the petition under Order - 06, Rule-17 read with section 151 of the CPC dated : 18-02-2025 filed on behalf of the claimants.

Copy is served.

No objection is raised.

Ld. Advocate for the claimants moves the instant petition.

Ld. Advocate for the respondents is present.

It is stated that the petitioners have filed the instant case due to the death of Swapan Majhi in an accident and the summons of the case have been duly served upon the respondents.

It is stated that it has been noticed that due to inadvertence and typographical mistake, the name of the deceased has been wrongly written in the first column of the claim petition and the date of accident has not been written. It is also stated that the time of the accident has been wrongly written in the fourth line of the column No. 8 of the claim petition. The date of accident has not been mentioned in the 23rd column of the claim application and those are required to be added and corrected for proper adjudication of the case.

It is further stated that in view of the above situation, the petitioners came to learn that the amendment of the claim application is required for proper adjudication.

Hence, the instant petition.

Ld. Advocate for the claimants submits that the prayer is very simple and it will not change the nature and character of the case, but for proper adjudication, the instant amendment is essential and so that the prayer of the claimants should be allowed.

Ld. Advocate for the respondents raises no objection against the instant petition and submits that considering the facts and circumstances, necessary order may be passed as per the discretion of the court.

Considering the submission of the parties, contents of the instant petition and existing facts and circumstances of the case, I hold that the prayer is very formal and it will not change the nature and character of the case.

On the other hand, for proper adjudication, the instant amendment is required.

Moreover, if the prayer is allowed, neither of the parties will be prejudiced and at the same time, the purpose of justice will be sub-served.

Hence, it is

Ordered

that the petition under Order - 06, Rule-17 read with section 151 of the CPC dated : 18-02-2025 filed on behalf of the claimants is allowed as prayed for.

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Amend the original claim application in view of the instant prayer for amendment.

The instant petition is accordingly disposed of without contest.

To 12-12-2025 for filing amended application, hearing and further order.

Dictated & Corrected by

**Judge, M.A.C.T.
Khatra, Dist.- Bankura**

**Judge, Motor Accident Claims Tribunal,
Khatra, Dist.- Bankura**