

Order 14

13.03.24

Today is fixed for P.hearing of the instant proceeding.

Both the sides file haziras. Applicant also files an application u/o 6 Rule 17 read with section 151 CPC along with a petition praying for adjournment on the grounds stated therein. Copy has been served. No objection endorsement has been put in.

Heard the Ld. Advocate for the applicant only in the absence of anybody on behalf of the OP no 2 despite repeated calls.

Perused the application whereby the applicant has prayed for passing necessary order for amendment of the claim application in the manner indicated in the schedule to the said application mainly for the purpose of changing the name of OP no 2 in column no 17 of the claim application on the ground that during pendency of the instant proceeding the name of the insurance company has been changed from OP no 1 to the present name intended to be incorporated in column no 17 as above.

It has already been found that OP no 2 has no objection against the said application. It also appears that though the original OP no 2 entered appearance in this proceeding but the WS has been filed under the changed name of OP no 2.

In view of the above position, the proposed amendment appears to be very formal in nature and should be allowed in order to regularise the record by incorporating the present name of the OP no 2. The proposed amendment will not in anyway change the nature or character of the instant proceeding nor the same will cause any injury or prejudice to the OP no 2. Accordingly I am inclined to allow the instant application.

Hence it is

Ordered

that the application of the applicant u/o 6 Rule 17 read with section 151 CPC filed this day is hereby allowed treating the same as a part of the original claim application. Note accordingly.

Applicant is directed to furnish amended copy of claim application by 4.06.24 after serving copy thereof upon the OP no 2. The OP no 2 is directed to submit fresh power by the date fixed.

To date for P.hearing of this suit as well as for filing additional WO by OP no 2 if any.

The P. hearing of this proceeding is thus adjourned today.

D/C by me

Judge

Judge 2nd Bench