

**Present: Samaresh Bera, Ld. Judge, M.A.C.T. cum A.D.J. F.T.C.II, Tamluk,
Purba Medinipur.
MACC No.51 of 2021**

Order No.20
03.10.2024

Today is fixed for hearing the petition dated 19.12.2023.

Claimant files hazira.

OP.No.2 files hazira along with fresh vokatnama.

The amendment application filed by the claimant dated 19.12.2023 is taken up for hearing.

By filing that amendment application, the claimant praying for rectification of section 164 of M.V. Act and insert the section 163(A) of M.V. Act of the claim application. The claim application is sought to be proceeded u/Sec.163(A) of M.V. Act.

By filing that amendment application, the petitioner also prays for rectification of the monthly income of Rs.3300/- instead of Rs.7,000/- and claim amount from Rs.5,00,000/- to Rs.5,75,000 /-.

The copy of the application is served on the Ld. Advocate of the OP Insurance Company.

Heard Ld. Advocates for both the parties.

Perused the petition and materials on record.

Ld. Advocate representing the OP Insurance Company does not raise any objection regarding amendment.

On perusal I find that the petitioner has prayed for amendment of the petition as stated in the scheduled of the said petition.

The claimant No.1 has liberty to modify the claim. Evidence has not yet been started. If, amendment be allowed, no body will be prejudiced.

In my view, the amendment sought for is simple in nature and it will not change the nature and character of the case.

Hence, it is,

ORDERED

that the petition dated 19.12.2023 filed by the claimant praying for amendment is allowed on contest.

To 31.01.2025 for framing of issues

Dic. & Corr. by me.

Judge, MACT ,
ADJ, FTC-II, Tamluk.

Judge, MACT ,
ADJ, FTC-II, Tamluk.

