

CNR: MHSN010034132022

Order below Exh.13 in Motor Accident Claim Petition No.230/2022

(Mukinda Lakshman Gadade V/s Soma Tatoba Sargar)

1. This is an application under Order 6, Rule 17 of the Code of Civil Procedure for amendment in the claim petition.
2. It is contended by the applicant that according to the RC Book of offending vehicle No.MH-10-AV-3893, respondent No.3 Mr.Mohan Mukinda Gadade is owner of the said vehicle. Wherein, the insurance company respondent no.4 had raised an objection and brought to the knowledge of the applicant that according to their policy record, policy owner of the offending vehicle is Mr.Vijaykumar Pandurang Solankar. Hence, the applicant prayed for the necessary amendment of the claim petition to make him party as respondent no.5 / Mr.Vijaykumar Pandurang Solankar.
3. Opponent no.4, Insurance Company has filed its say on the overleaf of the application and submitted that the contents of application are not admitted and further submitted that the applicant with intention to delay the matter has filed this application. Hence, the application be rejected with costs.
4. Heard learned counsel Mr.P.H.Joshi for the claimant and learned counsel Mr.S.R.Phatak for the opponent no.4 Insurance Company. I have gone through the application and say. It appears that the amendment sought for is of the technical in nature. No prejudice would cause to either parties if the amendment is allowed. Considering the facts and circumstances of the case, if the amendment is allowed it will help the Court to decide the matter on merits. Hence, the following order.

ORDER

- 1) Application (Exh.13) for amendment is allowed.
- 2) Applicant is directed to carry out necessary amendment within stipulated period.
- 3) No order as to costs.

Sangli.
Date: 06.11.2023

(Smt. J.A. Mohanty)
Member, M.A.C.T. Sangli

Certificate

I affirm that the contents of this P.D.F. file Judgment/order are same, word to word, as per original Judgment/order.

Name of the Stenographer :	SANJAY SARWADE, STENOGRAPHER GR.1
Designation of the Judge :	District Judge – 4, Sangli.
Decided on :	07-11-2023
Judgment signed by the	07-11-2023
Presiding Officer on :	
Judgment uploaded on :	08-11-2023