



MACP NO. 01 / 2018  
Vimal & Ors. Vs. Sachin & Ors.  
Exh.28

**Order below Exh.28 :-**

- 1] The present application has been preferred by the claimants under order 6 rule 17 of Civil Procedure Code for amendment in title clause of main petition.
- 2] Perused the application, reasons, grounds asserted therein also perused the copy of school leaving certificate of claimant no. 3 Vishal Arjun Nipunge. Heard Ld. Advocate V. B. Yadav for the claimants.
- 3] The respondents have given no objection for allowing the relief of amendment in title clause of main petition as to add the name of claimant no.3 as Prashant @ Vishal.
- 4] Upon taking into consideration the rival submissions coupled with plea, grievance, submission of claimants that the name of original claimant no.3 is as Prashant and Vishal is pen name of him. Now the claimants have inclined about said mistake as they only asserted the name of claimant no.3 Vishal Arjun Nipunge. Therefore prior to the name of claimant no.3 Vishal, name as Prashant @ is required to be asserted. In support of such submission plea, grievance, claimants have submitted the school leaving certificate and copy of Adhar card of claimant no.3 . In which the name of claimant no.3 is mentioned as Prashant Arjun Nipunge. The present amendment application is supported by the affidavit of claimant no.3. At the same time, the respondents have no objection for allowing the amendment sought by the claimants. In the circumstances considering the rival submissions coupled with documents of school leaving certificate and Adhar card of claimant no.3 it crystallized that the name of claimant no.3 is as Prashant however in title clause of main petition the name claimant no.3

described / mentioned as Vishal Arjun Nipunge. Certainly by considered the availed material and anxiety of the claimant no.3 the present application of the amendment is required to be granted. If the alleged amendment granted and permitted to claimants to inscribed the word as Prashant @ Prior to the name of Vishal, no any mis-carriage of justice, loss or damages would be caused to the respondents. Even the nature of present dispute also would not be changed. Hence in the circumstances I am inclined to allow the claimants to amend claim petition as sought by the claimants. Hence the present application is deserves to be allowed. With this I passed the following order :-

**ORDER**

- 1] The application below Exh. 18 is hereby allowed.
- 2] The claimant no.3 is directed to carry out the amendment described in the amendment application within stipulated period of law and to submit the amended copyof claim petition thereof.
- 3] After carry out the amendment in main petition, it be sent to the concern section for taking effect of such amendment in the register of Motor accident claim petition as per rule.
- 4] Dictated and pronounced in open Court.

Date : 03.10.2019

(S. M. Tapkire)  
Member, M.A.C.T.  
**Newasa-Ahmednagar**