

CNR MHAM010008292018



Oral Order Below Exh.1
(Dictated and Delivered in Open Court)

1. This is an application U/sec.151 and 152 of The Code of Civil Procedure, for correction in the Judgment and Award in MACP No.404/2010, decided on 27/02/2017.

2. It is the submission of the applicant that, there was defence of the applicant about driving license of non-applicant no.2. The court has discussed in judgment in para 19 about pay and recover from non-applicant no.2. But, the same is missing in Operative Order. Applicant prayed for correction of operative part in the order.

3. Section 152 of The Code of Civil Procedure reads as follows:

“152. Amendment of judgments, decrees or orders- Clerical or arithmetical mistakes in judgments, decrees or orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Court either of its own motion or on the application of any of the parties.”

4. After careful reading of the provision of Sec.152 of The Code of Civil Procedure, it is seen that, only clerical or arithmetical mistakes in judgments can be corrected. Whatever the applicant is submitting is not such mistake. The applicant is having remedy of appeal. So, I pass the following order:-

Order

Application stands rejected.

(A.V. Kulkarni)
Member,
Motor Accident Claims Tribunal,
Amravati.

Date/ 20.03.2021.