

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

CIVIL APPLICATION NO. 12819 OF 2017

IN

FA/2063/2009

SHIVKANTABAI DIGAMBAR EKLARE AND ORS

VERSUS

**M/S NATIONAL INSURANCE CO LTD. THR ITS DIV.
MANAGER AND ORS**

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Advocate for Applicants : Kale Gopal D.
Advocate for Respondent no.1 : Mr. V. N. Upadhye
Advocate for Respondent no.2 : A. D. Bhurkapalle

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CORAM : K.L.WADANE, J.

DATED : 10th October, 2017

O R D E R :

The present application is preferred by the applicants original claimants in M.A.C.Petition No. 91 of 1998 for correction of name of claimant/applicant no.2.

2. Learned counsel for the applicants submits that the Claim Petition No. 91 of 1998 was filed by applicant nos. 1 to 3 namely Shivkantabai Digambar Eklare, Sangameshwar Digambar Eklare and Maroti Digambar Eklare. However, at the time of presentation of appeal, the concerned respondents have mentioned the name of claimant no.2 as

Bainabai d/o Digambar Eklare, instead of Sangmeshwar Digambar Eklare.

3. Even office has not verified the correctness of the parties mentioned in the application.

4. I have perused the copy of M.A.C. Petition No. 91 of 1998, wherein name of claimant no.2 is mentioned as Sangmeshwar Digambar Eklare.

5. Now, the First Appeal is disposed of on 8.7.2017. Therefore, the applicants/claimants prayed to correct name of claimant no.2 in appeal memo. Hence, the applicants are permitted to correct the name of applicant/claimant no.2 as per prayer clause 'D'.

6. Hence, application is allowed in terms of prayer clause 'D'. Corrected copy be issued.

(K.L.WADANE, J.)

dbm