

C.M.P.No.22863 of 2018
and C.M.A.No.2073 of 2018

V.M.VELUMANI,J.

This Civil Miscellaneous Petition is filed by the petitioner to amend the claim of compensation amount from Rs.5,00,000/- to Rs.63,00,000/- in C.M.A.No.2073 of 2018 filed against the judgment and award dated 27.03.2014 made in M.C.O.P.No.24 of 2011 on the file of the Motor Accident Claims Tribunal, Principal District Judge, Namakkal.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3.According to the petitioner/claimant, he is entitled to more compensation than what is claimed in the claim petition and than what is awarded by the Tribunal. They have filed C.M.A.No.2073 of 2018 for enhancement of compensation. Pending appeal, the petitioner is seeking amendment of claim petition, claiming more amount. It is well settled that the Tribunal and Court must award just compensation, which may be more than what is claimed by the claimants.

4.In view of the same, if the petitioner is entitled more amounts than what is claimed in the claim petition, the Courts have power to award more compensation even without amending the claim petition.

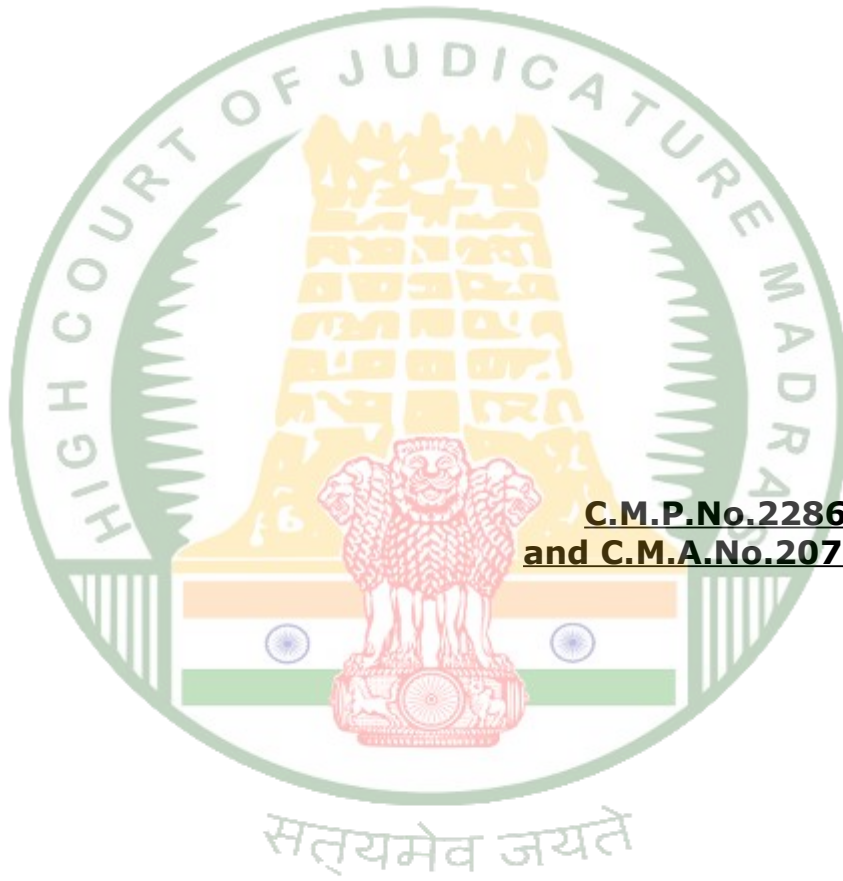
5.In the result, this Civil Miscellaneous Petition is dismissed.

08.03.2019

rst/gbi

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gbi/rst



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