

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.686 of 2018**

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Aashutosh Kumar @ Ashutosh Singh Son of Sri Ram Balak Prasad Singh,
Resident of Village-Nipaniai, P.S. Barauni, District-Begusarai.

... .. Petitioner/s

Versus

1. Nityanand Paswan Son of Sri Ram Swarath Paswan.
2. Milan Devi, Wife of Sri Nityanand Paswan. Both Resident of Village and P.S.Chausa, District-Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-08-2022 The petitioner is aggrieved by the order dated 08.11.2017 passed by learned Addl. District Judge -VIIth Begusarai- cum - Addl. M.A.C.T.-7, Begusarai by which the amendment in the claim petition to the extent that the compensation amount demanded by the claimant has been increased from Rs. 2,10,000/- to Rs. 6,90,000/- has been allowed.

The petitioner is the opposite party in the compensation case filed by the claimant- respondent before the M.A.C.T. and is also the owner of the vehicle which met with an accident.

I have heard learned counsel for the petitioner. From perusal of the impugned order it is apparent that the learned



Tribunal has come to the conclusion that the proposed amendment sought by the claimant is formal in nature and it is necessary for just and effective decision of the claim case. The Hon'ble Supreme Court in the judgment reported in (2017) 16 Supreme Court Cases 680 NATIONAL INSURANCE COMPANY LIMITED *Versus* PRANAY SETHI AND OTHERS has laid down the guidelines and criteria for payment of proper compensation to the victim of a road accident. Accordingly in view of the aforesaid judgment the claim made by the claimant in the claim petition is subject to the fulfillment of the guidelines and requirements in law by the claimant. No prejudice shall be caused to the opposite party- petitioner if the said amendment for increasing the claim by the claimant is allowed.

Accordingly, I find no merit in this application. The same is accordingly dismissed.

(Anil Kumar Sinha, J)

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