

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

2023:PHHC:084919

CR-7416-2016 (O&M)
Date of decision: 06.07.2023

NATIONAL INSURANCE CO LTD ..Petitioner
Versus

NEENU ARORA & ORS ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rahul Pathania, Advocate
for Mr. R.C. Kapoor, Advocate
for the petitioner-Insurance Company.

Mr. Ajay Jain, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

The learned Motor Accident Claims Tribunal has permitted the claimants to amend their petition from one filed under Section 163-A to file under Section 166 of the Motor Vehicles Act, 1988.

The learned counsel representing the Insurance Company contends that such amendment cannot be permitted.

On a Court question “whether such an amendment is prohibited or barred according to the provisions of the law applicable on the proceedings?” The learned counsel fairly submits that the Act does not make any provision. The amendment of pleadings is a well-known concept. In any case, the claimant is entitled to some amount of extra indulgence.

Hence, no ground to interfere is made out.

Dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

July 06th, 2023 (ANIL KSHETARPAL)
Ay JUDGE
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No