



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 CIVIL APPLICATION NO. 4588 OF 2024
IN FA/4033/2016

1] Minakshi Babanrao Auti,
Age : 57 years, Occu. Household,
R/o. Pokhardi, Taluka and
Dist. Ahmednagar.

2] Mahesh Babanrao Auti,
Age : 39 years, Occu. Nil,
R/o. Pokhardi, Taluka and
Dist. Ahmednagar.

3] Snehal Babanrao Auti,
Age : 32 years, Occu : Nil,
R/o. Pokhardi, Taluka and
Dist. Ahmednagar.

4] Sau. Shital Avinash Chattar,
Age : 36 years, Occu. Household,
R/o Plot No.13, Near Baneshwar
Mandir, Kedgaon, Ahmednagar.

...APPLICANTS
(Original Claimants)

VERSUS

1. Pancharatna Tours & Travels
through Chetan B. Pawar, Age :
Major, Occu : Business, R/o. Survey
No. 55/3, Bharonagar, Dhanori Road,
Pune.

2. Reliance General Insurance Co.Ltd.,
Divisional Manager, Ambar Plaza, Station Road,
Ahmednagar.

...RESPONDENTS
[Orig. Respondent]

...

Advocate for Applicants : Mr. Shaikh Mazhar A. Jahagirdar
Advocate for Respondent /Non-applicant No.2 : Mr. Rohit H.Dahat
and Mr. S.S. Patil

...

CORAM : Y. G. KHOBRAGADE, J.

DATE : 03.05.2024

PER COURT :

1. Heard the learned counsel appearing for the applicants and the learned counsel appearing for the non-applicant No.2. None for the non-applicant No.1.

2. By the present application, the applicant/original claimants, who are respondents in First Appeal No.4033/2016 prayed for permission to correct the name of applicant No.4 / original claimant No.4 as Sau. Shital Avinash Chattar instead of Sau. Savita Avinash Chattar. He further prayed for permission to withdraw the amount deposited by the Insurance Company in the correct name.

3. Needless to say that the claimants initially filed claim petition M.A.C.P. No.153/2012 and describing name of claimant No.4 as Sau.Savita Avinash Chattar. After conclusion of trial, on 24.01.2015 the learned Motor Accident Claims Tribunal, Ahmadnagar passed Judgment and Award. Being aggrieved by the said Award, the Insurance Company filed First Appeal No.4033/2016 which has been decided on 30.06.2023 but name of the claimant No.4 described as Sau. Savita Avinash Chattar. However, subsequently on application of the

claimants, the name of the claimant No.4 corrected as Sau. Shital Avinash Chattar. Therefore, it is necessary to correct the name of applicant No.4 in main First Appeal, but said correction required to be carried out by the appellant – Insurance Company. Further, after such amendment is carried out, it is necessary to correct the name of Respondent No.4 / claimant No.4 as Sau. Shital Avinash Chattar in Judgment dated 30.06.2023 passed in First Appeal No. 4033/2016 under Section 152 of the Code of Civil Procedure.

4. Necessary amendment shall be carried out by the appellant / Insurance Company within period of one week from today in appeal.

5. After such amendment is carried out, the name of claimant No.4 be corrected as Sau. Shital Avinash Chattar in the Judgment dated 30.06.2023 and corrected copy be uploaded and amount comes to the share of claimant No. 4 be disbursed after due verification.

6. Accordingly Civil Application is disposed off.

(Y. G. KHOBRADE, J.)

shp