



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4530 OF 2024

SURESH AMBU LOMTE

VERSUS

DHAMPAL MANOJ GAIKWAD THROUGH ITS GUARDIAN MANOJ
BHIMRAO GAIKWAD

...

Advocate for the Petitioner : Mr. V. H. Pathade h/f Mr. V. S. Undre

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CORAM : ROHIT W. JOSHI, J.

Dated : July 2, 2025

PER COURT :-

1. The present petitioner takes exception to the order dated 09.11.2023 passed by the learned Member, Motor Accident Claims Tribunal, Aurangabad, on application for amendment of Claim Petition filed vide Exh. 20 in M.A.C.P. No. 731 of 2019.

2. Initially, the petitioner had sought compensation of Rs 2 lakhs. By way of amendment, the amount of compensation claimed is sought to be enhanced to Rs. 54 lakhs. It is well settled law that irrespective of the amount of compensation claimed by the claim petitioner in a motor accident claim petition, it is the duty of the Tribunal to award just and fair compensation. Therefore, even if the claim petition was not amended, the claim petitioner will be entitled

to just and fair compensation, even if the same is more than the amount of compensation claimed.

3. In that view of the matter, this Court finds no reason to interfere in the impugned order. Therefore, this petition stands **dismissed**. No order as to costs.

(ROHIT W. JOSHI, J.)

Omkar Joshi