

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Revision No.3904 of 2015

Date of decision: 10.09.2015

Shri Ram General Insurance Company Limited

.....Petitioner

versus

Krishan Yadav and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Punit Jain and Mr.Rajesh Bansal, Advocates
for the petitioner
Mr.Arun Yadav, Advocate for respondent Nos.1 to 8

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 22.4.2015, passed by the learned Motor Accident Claims Tribunal, Rewari (for short, 'the Tribunal), vide which, the application of the Insurance Company, for permission to summon respondent No.1 -Krishan Yadav as Court witness and the Investigating Officer of the criminal case registered against respondent No.1, was dismissed on the ground that the investigating officer has already been examined in the present case. Therefore, there is no need to recall him. It was further observed that there is also no need to recall respondent No.1-Krishan Yadav as Court witness.

I have heard learned counsel for the parties and have

also carefully gone through the file.

Learned counsel for the petitioner has relied upon the authority of this Court in Bhagat Singh v. Jai Bhagwan and others, 2012 (2) RCR (Civil) 32.

After going through the peculiar facts of this case, I am of the view that it was for the Tribunal to see whether any witness was to be summoned as Court witness so as to enable both the parties to cross-examine him. If the Tribunal has exercised the powers and decided not to summon Krishan Yadav – respondent No.1 as Court witness, this Court cannot interfere in the same. So far as investigating officer is concerned, he has already been examined. The mere fact that one of the injured was examined latter on, is no ground to recall the witness. There is no ground to interfere in the impugned order.

The revision is accordingly dismissed.

10.09.2015
gk

(Kuldip Singh)
Judge