

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.R. No. 6754 of 2015

Date of decision:- 12.10.2015

Suresh

...Petitioner

Versus

Subhash & others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Parminder Singh, Advocate
for the petitioner.

RITU BAHRI J.(Oral)

Claimant/Petitioner (for short 'petitioner') has filed the instant revision petition under Article 227 of the Constitution of India assailing order dated 17.07.2015 (P-4) and 23.09.2015 (P-5) passed by Motor Accidents Claim Tribunal, Karnal.

A perusal of the zimini order shows that Dr. Vinod Kumar served for 26.05.2015, 17.07.2015, 10.08.2015, 04.09.2015 but he requested for date each time and lastly on 23.09.2015, the evidence of the petitioner has been closed by observing that by way of order dated 17.07.2015, evidence of the petitioner has already been closed and no further opportunity can be granted to examine the witness namely Dr. Vinod Kumar to prove the disability certificate.

Learned counsel submits that the petitioner will suffer irreparable loss in case the doctor will not be examined, as the disability

certificate in that eventuality could not be brought on record.

In view of the above, orders dated 17.07.2015 (P-4) and 23.09.2015 (P-5) passed by Motor Accidents Claim Tribunal, Karnal. are hereby set aside and the instant revision petition is **allowed** and the trial Court is directed to give one effective opportunity to the petitioner to examine Dr. Vinod Kumar to prove the disability certificate, subject to payment of Rs.2000/- as cost to be deposited before the District State Legal Services Authority, Karnal.

October 12, 2015
G Arora

(**RITU BAHRI**)
JUDGE