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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.7220 of 2013

Date of decision: March 31, 2015

Rajpal

.....Petitioner

Versus

Khushi Ram and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

Mr. Narender Kaajla, Advocate
for the respondents No.1 and 2.

Mr. Ashish Chaudhary, Advocate for
Mr. Satish Saini, Advocate
for the respondents No.4 and 5.

Mr. Manoj Dhiman, Advocate for
Mr. Vishal Aggarwal, Advocate
for the respondent No.6.

SABINA, J

Petitioner has filed this petition challenging the order dated 26.10.2013, whereby application moved by the petitioner for permission to lead additional evidence, was dismissed.

Learned counsel for the petitioner has submitted that the petitioner has filed claim petition seeking compensation on account of injuries suffered by him in the Motor Vehicle Accident. Petitioner had suffered disability to the extent of 70%. Despite due diligence, petitioner could not prove on record the medical bills as well as disability certificates.

Petitioner be granted one opportunity to enable him to prove on

record the disability certificate as well as the medical bills.

Learned counsel for the respondents, on the other hand have opposed the petition.

Petitioner has filed claim petition claiming compensation on account of injuries suffered by him in the Motor Vehicle Accident. In case, the petitioner fails to prove on record the disability suffered by him as well as medical bills, he would not be able to claim the full compensation, which is liable to be granted to him. Hence, it would be just and expedient to allow the petitioner to enable him to produce on record the disability certificate and the medical bills.

Accordingly, this petition is allowed. Impugned order dated 26.10.2013 (Annexure P-1) is set aside. The learned Tribunal is directed to grant one effective opportunity to the petitioner to enable him to lead his evidence qua disability suffered by him as well as the medical bills, at his own risk and responsibility, subject to payment of ₹2,500/- as costs. Costs be deposited with the District Legal Services Authority, Bhiwani. Thereafter, the learned Tribunal shall proceed further with the case in accordance with law.

**(SABINA)
JUDGE**

March 31, 2015

m.singh