

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

C.R. No. 7334 of 2015

Date of decision:- 03.11.2015

Sukhminder Singh @ Sukhwinder Singh

...Petitioner

Versus

Vijay Kujmar @ Baresh Kumar & others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Ashwani Arora, 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 03.09.2015 (P-1) passed by Motor Accidents Claim Tribunal, Mohali.

Learned counsel for the petitioner has referred to summon report whereby doctor was served through Centration Registration Department, PGI, Chandigarh and a clerk namely Anuradha had received the summon on behalf of doctor on 25.08.2015. In spite of that the learned Tribunal in impugned order had wrongly observed that the petitioner did not collect dasti summons and produced the doctor and the petitioner had taken four opportunities to serve doctor.

A perusal of the summon report clearly shows that doctor had been served through Clerk.

In view of the above, order dated 03.09.2015 (P-1) passed by Motor Accidents Claim Tribunal, Mohali is 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. Rajesh Chhabra to prove the disability of the petitioner.

November 03, 2015
G Arora

(***RITU BAHRI***)
JUDGE