

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.97 of 2016**

- Ravishankar Sonwani S/o Late Chaituramk, Aged About 32 Years Caste Satnami, R/o Village Bangoli, Tahsil Kurud, District Dhamtari (Chhattisgarh).

---- Petitioner

Versus

- Rupesh Kumar S/o Khilawan Ram, Aged About 25 Years Caste Marar, R/o Ward No. 07, Nagar Panchayat Bhakhara, Tahsil Kurud, District Dhamtari (Chhattisgarh) (Driver Of Vehicle Motor Cycle No. C. G. 05 K / 6766).

---- Respondent

Shri Anil Gulati, counsel for the petitioner.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****10.02.2016.**

At the outset, counsel for the petitioner submits that as the evidence of the doctor is required to prove the injuries and other facts for getting due compensation in the matter, in the larger interest of justice, as the matter is in relation with social legislation, i.e. compensation arising out of motor accident, one opportunity may be given to him to keep present his witness, i.e. Dr. Vinod Pandey before the Court and he be permitted to adduce his evidence to prove his case as the matter is fixed on 22.02.2016 for the evidence of non applicant.

2. On due consideration, upon perusal of the entire material, this Court is of the view that in the larger interest of justice one opportunity would be appropriate.

3. Consequently, the instant petition is disposed of. The petitioner is directed to keep present his witness Dr. Vinod Pandey on 22.02.2016 before the Claims Tribunal. The Claims Tribunal is hereby directed to record the evidence of said witness on 22.02.2016, granting opportunity to the non applicant to cross examine under the provisions of Evidence Act. Thereafter the Claims Tribunal is further directed to proceed further with the remaining part of the trial.

4. Petition disposed of. No order as to cost.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE