

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

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Date of decision: 28.03.2016

1. CR 2172 of 2016

Manmohan Singh *Petitioner*

Versus

Rajinder Singh and others *Respondents*

2. CR 2180 of 2016

Manmohan Singh *Petitioner*

Versus

Gurpreet Singh and others *Respondents*

3. CR 2190 of 2016

Manmohan Singh *Petitioner*

Versus

Sandeep Kaur and others *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Dinesh Nagar, Advocate
for the petitioner

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1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

Rekha Mittal, J. (Oral)

This order will dispose of Civil Revisions No. 2172, 2180 and
2190 of 2016 as common questions of law and fact are involved for

adjudication. However, for the sake of connivence, facts are taken from CR 2172 of 2016.

The present petition lays challenge to order 18.02.2016 passed by the Motor Accident Claims Tribunal, Amritsar (hereinafter referred to as 'the Tribunal') whereby an application filed by the petitioner/respondent for examining Shri Ganesh Kumar, Agent of United India Insurance Company and Branch Manager of said Company, has been dismissed.

Counsel for the petitioner would submit that in case the petitioner is not permitted to examine the aforesaid witnesses, he is likely to suffer an irreparable loss and injury as liability qua compensation in respect of the alleged damage to Car of respondent No. 1/claimant may be fastened upon the petitioner to the exclusion of the Insurance Company. It is further submitted that the mere fact that Shri Ganesh Kumar and Branch Manager of the Company have already been examined by the claimant should not be permitted to stand in the way of the petitioner to examine those witnesses on the basis of official records.

I have heard Counsel for the petitioner and perused the records particularly the impugned order, but find no merit in the petition.

The Tribunal has noticed that Shri Ganesh Kumar, the alleged Agent of the Company and Shri Joga Singh, Senior Branch Manager of the United India Insurance Company were examined by the claimant and the petitioner availed his right to cross examine them at length. I do not find any error much less illegality in the findings recorded by the Tribunal that once these witnesses have already been examined by one of the parties to the lis, they cannot be examined again by the opposite party for any purpose whatever. On the contrary, if the petitioner has failed to put any material

questions/documents to the witnesses concerned, he may avail of an appropriate remedy for redressal of his grievance, in accordance with law.

For the reasons aforesaid, finding no merit, the petitions are dismissed. No order as to costs.

Xerox copy of this order be placed on the file of connected cases.

(Rekha Mittal)
Judge

28.03.2016
mohan bimbura