

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

FAO No. 4201 of 2002 (O&M)

Date of decision: 21.03.2016

Himmar Kaur and others

... Appellants

versus

Bhura Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Kulvir Narwal, Advocate for the appellants.

Mr. Suvir Dewan, Advocate for respondent No.3.

K.Kannan, J. (ORAL)

The petitioner seeks for production of additional evidence for proof of age which has an immediate bearing to the multiplier to be adopted. The document now sought to produce was neither exhibited as evidence nor marked. I believe the additional evidence to be material, but, I cannot accept it without evidence for proof in accordance with law. I direct the document to be taken on record but it is received subject to proof and afford an opportunity to the appellants-petitioners to give such evidence before the MACT, Patiala. The application with the document is directed to be despatched to the MACT, Patiala which will allow for the evidence to be given and opportunity for cross-examination by the counsel for the insurer.

Counsel for the appellants has also filed some documents relating to economic status. The documents are ordered to be received with liberty to prove the document in the manner required. The order already passed is only set aside for consideration of whether the

appellant will be entitled to secure an additional compensation and the compensation awarded already cannot be modified to any amount lower than what was assessed. The matter is remanded to the Court below for disposal in accordance with law.

Parties to appear before the Court below.

(K.KANNAN)
JUDGE

21.03.2016
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