

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No.8275 of 2015 (o&m)
Date of Decision: 29.08.2017

Oriental Insurance Company Ltd.

.....Petitioner

Vs.

Tejinder Kaur and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ashwani Talwar, Advocate, for the petitioner.

Mr.Tarun Vir Singh, Advocate, for respondents No.1 to 4.

RITU BAHRI, J. (ORAL)

CM No.17869-CII of 2017

Notice of application.

Mr.Ashwani Talwar, Advocate, accepts notice on behalf of appellant and the matter is preponed from 30.11.2017 to today.

Main Case

The insurance company has come in revision against the order dated 06.10.2015 passed by learned MACT, Mohali (Annexure P-1), whereby, application moved by the petitioner-Insurance Company for summoning of three witnesses along with records has been dismissed.

At this stage, vide order dated 07.12.2015, while issuing notice of motion to the claimants/respondents, the passing of the final award was stayed.

Learned counsel for the respondent/Insurance Company states that appellant/Insurance Company has moved an application to summon three witnesses namely Parminder Singh-complainant, ASI Ramesh Kumar and Criminal Ahlmad of the Court of JMIC Rupnagar to produce record of case title State Vs. Sandeep Singh, but the application of the Insurance Company has been dismissed. He prays for summoning of the abovesaid witnesses who are very

much necessary for adjudication of the present case.

In view of the above, the order dated 06.10.2015 (Annexure P-1) is set aside and trial Court is directed to give two effective opportunities to the Insurance Company to examine the Parminder Singh-complainant and Criminal Ahlmad of the Court of JMIC Rupnagar who will produce the record of the case titled State Vs. Sandeep Singh, FIR No.34 dated 21.01.2014 under Section 279/337/304-A of IPC, P.S.Morinda. They will be summoned through the process of the Court subject to payment by the petitioner of Rs.5,000/- as costs to the claimants.

Civil Revision is allowed accordingly.

(RITU BAHRI)
JUDGE

29.08.2017
anil

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No