

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

FAO-5102-2015 (O&M)
Date of decision: 12.12.2017

JUGAL KISHORE

...Appellant

Versus

SHARWAN KUMAR AND ANR

...Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Ms. Amrita Nagpal, Advocate for
Mr. Lokesh Sinhal, Advocate
for the appellant.

None for respondent No.1.

Mr. Pradeep Kumar, Advocate
for respondent No.2.

REKHA MITTAL, J. (Oral)

The injured victim is in appeal seeking enhancement of compensation on account of injuries sustained in a motor vehicular accident that took place on 14.07.2012.

Counsel for the appellant has submitted that the injured was treated at Artemis hospital, Gurgaon and produced on record photocopies of bills running into several lakhs. He has suffered disability to the extent of 25% assessed by the medical board, referred to in para 3 of the application for additional evidence. She would state that the original disability certificate is in her possession and can be produced.

Counsel for the appellant and respondent No.2 are *ad idem* that the matter with regard to assessment of compensation may be remitted to the Tribunal on the basis of evidence already on record and additional evidence, if any, to be produced by the parties.

In view of the above, the appeal is disposed of. The matter is remitted to the Tribunal for assessment of compensation afresh on the basis of materials already on record and additional evidence to be adduced by the claimant as well as evidence in rebuttal, if any, adduced by the insurance company. The parties through their counsel are directed to appear before the Tribunal on 17.01.2018. The Tribunal is directed to complete the entire exercise of recording evidence and making assessment afresh within a period of three months from the parties putting in appearance.

12.12.2017

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No