

HIGH COURT OF CHHATTISGARH, BILASPUR

WP(227) No. 37 of 2018

Smt. Sabnam Bano, W/o. Shri Md. Ishtiyag, Aged About 20 Years, R/o. B-Type, Godripara, P.S. Chirmiri, Tehsil Khadgawan, District Koriya, Chhattisgarh

---- Petitioner

Versus

1. Rajendra Kumar, Son Of Krishna Kewat, Aged About 25 Years, R/o. School Dafai, Sonawani, P. S. Chirmiri, Tehsil Khadgawan, District Koriya, Chhattisgarh. (Driver).
2. Krishna, Son Of Shri Arkhita, Aged About 50 Years, R/o. Sonawani, School Dafai, P.S. Chirmiri, Tehsil Khadgawan, District Koriya, Chhattisgarh. (Owner).
3. Branch Manager, The Oriental Insurance Company Ltd. Branch Office- Ambikapur, District Sarguja, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Pushkar Sinha, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2018

Heard

1. This petition is against the order dated 11.10.2017 whereby the right to lead evidence of the petitioner/claimant has been closed.
2. Learned counsel for the petitioner would submit that a claim petition under Section 166 of the Motor Vehicle Act was preferred and because of the fact the petitioner/claimant has suffered injury, she could not come and one opportunity may be given.
3. Perused the petition filed under Section 166 of the Motor Vehicle Act. The same is filed for the injury sustained by the petitioner as also for the fact that she suffered abortion as a result of the accident. Considering the prayer made and the nature of the claim, if the petitioner has not been allowed to get herself

examined, she would suffer an irreparable loss, which cannot be compensated subsequently for want of evidence.

4. In a result, as a last chance, one more opportunity is given to the petitioner to get herself examined before the Court below. Consequently, it is directed that if the petitioner appears on 21.02.2018 she should be examined on that date and her evidence shall be recorded in accordance with law.
5. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge