

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

CR-3768-2018

Date of Decision: May 31, 2018

Jasvir Kaur Atwal and another

...Petitioners

Versus

Baldev Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ravi Malhotra, Advocate,
for the petitioners.

ARUN PALLI, J. (ORAL)

The petitioners happened to be the claimants in a matter pending before the Motor Accident Claims Tribunal, Jalandhar. They are aggrieved by an order dated 03.05.2018 (Annexure P-6), vide which their evidence has since been closed.

Ex facie, the petitioners have been remiss and negligent in pursuing their cause, as despite repeated opportunities they failed to lead and conclude their evidence. So much so, they were even granted a last opportunity, but to no avail. But it shall be equally true that in the event the petitioners/claimants are not granted one opportunity to examine themselves in support of their claim, they shall suffer an incalculable loss. It is urged that no other witness is required to be examined.

That being so, the impugned order dated 03.05.2018 (Annexure P-6), is set aside, without issuing any formal notice to the respondents, to

avert any further delay, and the expenses that they shall have to incur to defend these proceedings. The revision petition is accordingly disposed of, in the following terms:-

- (a) The petitioners shall be granted only one opportunity to lead and conclude their entire evidence, as indicated above, on the date that shall be specified by the Tribunal in this regard.
- (b) In the event of default, the matter shall not be adjourned at any cost, and the evidence of the petitioners shall be deemed to have been closed.
- (c) This however, shall be subject to payment of Rs.5,000/- as costs, which shall be a condition precedent.

(ARUN PALLI)
JUDGE

May 31, 2018

Pk Kapoor

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO