

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

Date of Decision:11.10.2018

.....Appellant

Vs.

....Respondents

Civil Revision No.6052 of 2018

.....Appellant

Vs.

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Yashdeep Nain, Advocate,
for the petitioner.

Mr.Satpal Dhamija, Advocate,
for respondent no.3 insurance company.

AMOL RATTAN SINGH, J. (Oral)

By these two petitions the petitioner challenges the order of the learned Motor Accident Claims Tribunal, Hisar, dated 04.07.2018 (Annexure P-1), vide which his evidence (as respondent no.1 in the claim petition), has been closed.

Though otherwise I see absolutely no reason to interfere with the impugned order, it very clearly stating that despite several opportunities the petitioner had not led any evidence, however, he submits that as a matter of fact the petitioner obtained verification of the licence shown to be issued by the Licensing Authority, Lakhimpur, Assam, on 01.02.2014 only recently, by visiting the website of the said authority and therefore, he could not produce his driving licence in evidence prior thereto, as it may have

been outrightly disbelieved.

Though why the petitioner could not have accessed the website of the licensing authority even on a prior date of hearing when his evidence was closed is wholly un-understandable, however, simply to ensure that possibly substantive evidence which might turn the case for or against the petitioner as regards any compensation to be paid, these petitions are allowed subject to the petitioner depositing Rs.10,000/- as costs (*qua* both claim petitions which are stated to subject matter of a single trial before the Tribunal), with Rs.5,000/- to be paid to the claimant and Rs.5,000/- to the insurance company. Thereafter, the petitioner would be given one opportunity to lead the evidence as is sought to be led, in the form of the driving licence, with no comment whatsoever made by this Court as to the validity of that licence or otherwise, which naturally has to be proved before the Tribunal.

Naturally, the claimant as also the insurance company would need to be given an opportunity to cross-examine the petitioner, as also with regard to leading evidence on the validity, or otherwise, of the driving licence.

Disposed of.

A photocopy of this order be placed on the file of the connected case.

(AMOL RATTAN SINGH)
JUDGE

October 11, 2018.

dharamvir/dinesh

Whether speaking/reasoned : YES
Whether Reportable : YES