

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

1. FAO No.1117 of 2001 (O&M)
Date of decision: 22.05.2018

Gulshan Rai Bajaj Appellant

Versus

Pardeep Kumar Bhattacharya and others Respondents

2. FAO No.2663 of 2000 (O&M)

National Insurance Company Ltd. Appellant

Versus

Gulshan Rai Bajaj and others Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr.Deepak Thapar, Advocate
for the appellant in FAO No.1117 of 2001 and
for respondent No.1 in FAO No.2663 of 2000.

None for respondents No.1 to 3 in FAO No.1117 of 2001.

Mr.Suvir Dewan, Advocate
for respondent No.5 in FAO No.1117 of 2001 and
for respondent No.3 in FAO No.2663 of 2000.

Service of respondents No.4 and 6 was dispensed with
vide order dated 08.07.2016 in FAO No.1117 of 2001 and

Service of respondents No.2 and 4 was dispensed with
vide order dated 08.07.2016 in FAO No.2663 of 2000.

Avneesh Jhingan, J.

The insurer of Maruti car bearing registration No.CH-I-C-0963

and the claimant being aggrieved of quantum of compensation awarded by Motor Accidents Claims Tribunal, Ludhiana (hereinafter referred to as 'the Tribunal') vide award dated 26.07.2000 have filed these appeals. In the appeal filed by the claimant, an application i.e. CM No.10432-CII of 2018 has been filed for producing additional evidence on record i.e permanent disability certificate.

The grievance of the insurer is that the quantum is on the higher side whereas the contention of the claimant is that if the disability certificate is taken into consideration the quantum needs to be enhanced.

For deciding the issue of quantum evidence would be required from both the sides. In such circumstances, without expressing any opinion on the merits of the case, the matter is remitted back to the Tribunal to decide the quantum issue afresh after providing opportunities to the parties to adduce fresh evidence, if so desired.

Parties are directed to appear before the Tribunal on 23.07.2018.

Both the appeals are disposed of.

(AVNEESH JHINGAN)
JUDGE

22.05.2018
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1. Whether the order is speaking/reasoned: Yes/No

2. Whether the order is reportable : Yes/No