

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

FAO No. 5226 of 2011

Date of decision : 23.02.2018

Surjeet @ Sukhjeet

...Appellant

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vikas Kumar, Advocate
for the appellant.

Mr. Ayuwan Singh, AAG, Haryana
for respondents No. 1 and 2.

Ms. Jaideep Kaur, Advocate for
Mr. J.S. Thind, Advocate
for respondent No. 5.

Mr. Raja Bahadur Singh Jain, Advocate
for respondent No. 6-Insurance Company.

...

AVNEESH JHINGAN, J. (Oral)

The appeal has arisen from award dated 22.04.2011 passed by Motor Accident Claim Tribunal (for short 'Tribunal'), Sirsa. An accident took place on 10.09.2006 between Canter bearing registration No. HR-57-1833 and Haryana Roadways Bus registration No. HR-39-8488. The appellant suffered injuries in the said accident. His evidence was closed by the Tribunal on 19.04.2011 and thereafter, after three days, the claim petition was dismissed as no evidence was adduced.

Learned counsel for the appellant seeks an opportunity to adduce evidence.

Learned counsel for the respondents resisted the contention and argued that six opportunities were already given and no evidence was produced.

In the facts and circumstances of the case, the matter is remanded back to the Tribunal to decide the claim petition after providing opportunity to the parties to adduce evidence in support of their respective case. It is clarified that the respondents would be at liberty to take all the objections before the Tribunal.

Appeal is disposed of accordingly.

23.02.2018

Harish Kumar

**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No