

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

FAO No.1942 of 2012 (O&M)

Date of decision: 17.05.2018

Krishan Kumar

.... Appellant

Versus

Uggar Sain and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr.Amit Singla, Advocate
for the appellant.

Ms. Samridhi, Advocate
for respondents No.1, 2, 4 and 5.

Ms. Shamsher Kaur, Advocate
for respondent No.3-Insurance Company.

Mr. Vishal Aggarwal, Advocate
for respondent No.6.

Avneesh Jhingan, J.

The present appeal has arisen from the award dated 19.01.2011 passed by Motor Accidents Claims Tribunal, Hisar (hereinafter referred to as 'the Tribunal').

In a motor vehicular accident that took place on 24.12.2008, the appellant suffered injuries. The said injuries resulted into disablement also.

A claim petition under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the Act') was filed. The Tribunal awarded a sum of Rs.1,74,800/-along with interest @ 6% per annum.

During the pendency of the appeal, the appellant moved an application for placing on record the additional evidence. The said application was allowed vide order dated 15.01.2016 and 14 pages of bills regarding future treatment were taken on record.

Learned counsel for the appellant states that he further wants to place on record the bills for future treatment and he may be given more time.

Learned counsel for the respondents argued that even the earlier record they need to rebut the same. It is to be proved that his future treatment is result of injuries suffered in the accident and the same would be the position if some more record is produced.

In such circumstances, without expressing any opinion on the merits of the case, the matter regarding enhancement of compensation is remitted back to the Tribunal to decide the matter after providing opportunity to both the parties to adduce evidence in support of their case, if so desired.

Parties are directed to appear before the Tribunal on 12.07.2018.

The appeal is disposed of accordingly.

(AVNEESH JHINGAN)
JUDGE

17.05.2018

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

2. Whether the order is reportable : Yes/No