

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

FAO No.4210 of 2014 (O&M)  
Date of Decision: 30.10.2018

Sushil Rattan

.....Appellant

Versus

Anil Ohri and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present:- Mr. Vishal Nehra Advocate  
for the appellant.

Ms. Sumanjit Kaur, Advocate for  
Mr. R.C. Kapoor, Advocate  
for respondent No.3.

**AVNEESH JHINGAN J.(ORAL)**

The present appeal is against award dated 20.12.2013 passed  
by Motor Accident Claims Tribunal, Hoshiarpur (for short the Tribunal).

2. Brief facts necessary for adjudication of the present appeal  
are that the appellant suffered injuries in a motor vehicular accident that  
occurred on 27.07.2012. The offending vehicle in the said accident was  
Maruti Car bearing registration No.HR-38-C-1620.

3. The claim petition under Section 166 of Motor Vehicle Act,  
1988 (for short 'the Act') for claiming compensation, was filed. The  
Tribunal after considering the facts, awarded a sum of ₹10,30,900/-  
alongwith interest @ 6% per annum. The present appeal has been filed  
for enhancement.

4. During the pendency of the appeal, an application was moved

for placing on record the additional evidence i.e. the disability certificate dated 30.10.2014. Notice in the application was issued to the non-applicants.

5. Learned counsel for the appellant contended that as per the latest medical certificate, permanent disability as consequence of injuries suffered in 80% as the appellant had suffered head injuries.

6. Learned counsel for the respondents argued that the certificate has been produced first time and they need an opportunity to verify and to rebut the same if so required.

7. Keeping in view the fact that for deciding the quantum of compensation, further evidence would be required to be adduced by both the parties. Hence, it would be appropriate to remand the matter back to the Tribunal regarding the issue of quantum of compensation only. The Tribunal would decide the same after providing opportunity to the parties to adduce evidence in support of their claims.

8. The accident occurred in the year 2012, it would be desirable if the matter is disposed of by the Tribunal, expeditiously.

9. Parties are directed to appear before the Tribunal on 29.11.2018.

10. Appeal is disposed of in the manner indicated above.

**(AVNEESH JHINGAN)**  
**JUDGE**

October 30, 2018

shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No