

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

**CM No.21729-CII of 2016 in/and
FAO No.4412 of 2014
Date of decision: 30.04.2018**

Baljinder SinghAppellant
Versus

Jaspal Singh and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rakesh Bakshi, Advocate,
for applicant-appellant.

Mr. Inderjeet Singh, Advocate,
for respondent No. 1.

Mr. D.R. Bansal, Advocate,
for respondent No.2-National Insurance Company.

RITU BAHRI J. (Oral)

CM No.12495-CII of 2014

In view of the averments mentioned in the application, same is
allowed and delay of 142 days in filing of the appeal is condoned.

**CM No.21729-CII of 2016 in/and
FAO No.4412 of 2014**

This appeal has been filed by the claimant-appellant seeking
enhancement of compensation awarded by Motor Accident Claims Tribunal,
Ambala (hereinafter referred to as 'the Tribunal') vide award dated
06.08.2013, on account of injuries received by him in a motor vehicular
accident which took place on 28.02.2012.

During the pendency of this appeal, claimant-appellant has
filed an application (CM No.21729-CII of 2016) for placing on record
medical bills (Annexures A-1 to A-16) amounting to Rs.82,023/- as

additional evidence. Learned counsel for the appellant states that these bills

could not be placed on record before the Tribunal, as the same are the result of continue treatment received by the appellant after the accident, in which, he has received serious injuries.

In reply to the application, the insurance company (respondent No.2) has taken a plea that the aforesaid bills cannot be taken on record as the person, who had issued the same and had prescribed the medicines, has to be examined. Thereafter, the respondent (insurance company) will be entitle to cross-examine the said person.

In the given circumstances of the case, to impart complete justice to the parties and also to avoid deprivation of full opportunity to claimant-appellant, this Court deems it appropriate to provide some time to the appellant (claimant) to prove the bills (Annexures A-1 to A-16) before the Tribunal by way additional evidence.

In view of the above, the matter is remanded back to the tribunal with a direction to provide opportunities to claimant-appellant to prove the aforesaid bills (Annexures A-1 to A-16) by way of additional evidence. Thereafter, the Tribunal shall provide adequate opportunity to respondent-Insurance Company to verify those bills and to lead evidence in rebuttal. After conclusion of evidence of all the parties, the Tribunal will examine the bills (Annexures A-1 to A-16) and send its report to this Court. Parties through their counsel are directed to appear before the Tribunal.

Disposed of accordingly.

(RITU BAHRI)
JUDGE

30.04.2018

ajp

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