

225

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

**FAO No.2095 of 2013 (O&M)
Date of Decision : 30.01.2019**

DINKAR

....APPELLANT

V/S

SATISH AND ANOTHER

....RESPONDENTS

CORAM : HON'BLE MR. JUSTICE B.S. WALIA

Present: Mr. Sandeep Saini, Advocate for
Mr. Rajesh Sheoran, Advocate
for the appellant.

Mr. M.B. Jain, Advocate
for respondent No.2/*Insurance Company*.

B.S. WALIA, J. (ORAL)

CM No.9942-CII of 2013

Application for permission to place disability certificate, showing 18% permanent disability incurred by the appellant, which could not be placed on record before the learned Motor Accidents Claims Tribunal, Bhiwani has been filed alongwith the appeal.

Learned counsel for respondent No.2 states that he has no objection to the remand of the case in order to enable the matter to be adjudicated before the learned Motor Accident Claims Tribunal, Bhiwani. Accordingly, application is **allowed** and the disability certificate (Annexure A-1) is taken on record.

FAO No.2095 of 2013

[1] In view of order passed above, the matter is remanded to the learned Motor Accident Claims Tribunal, Bhiwani to enable the appellant to prove the same after examination of the concerned doctor. Needless to mention the respondent(s) would be at liberty to lead evidence in rebuttal. On the basis of the evidence to be lead by the parties before the learned Motor Accident Claims Tribunal, Bhiwani decision as may be warranted in the facts and circumstances of the case be taken.

[2] Parties through counsel are directed to put in appearance before the learned Motor Accident Claims Tribunal, Bhiwani on **18.02.2019** for further proceedings in accordance with law.

[3] Accordingly, the appeal is **disposed of** by remanding the matter to the learned Motor Accident Claims Tribunal, Bhiwani, in accordance with the aforementioned direction.

(B.S. WALIA)
JUDGE

January 30, 2019
'rajneesh'

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