

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

F.A.O. No. 1487 of 2018

DATE OF DECISION :- September 18, 2019

Harbans Singh and another

...Appellants

Versus

Dalbir Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Vivek Salathia, Advocate for the appellants.

Mr. Upender Prashar, Advocate for respondent No. 1.

Mr. Gopal Mittal, Advocate for respondent No. 2.

Learned counsel for respondent No. 2-Insurance Company states that as per intimation received by him from the Insurance Company the insurance policy, copy of which was supplied to him by learned counsel for the appellants is genuine. Learned counsel for the parties have agreed that since the Insurance Company was not impleaded as a party by the claimants in the claim petition filed before Motor Accident Claims Tribunal, Amritsar, the case be remanded to such Tribunal for fresh decision allowing the claimants to implead the Insurance Company as respondent. Therefore, the impugned Award dated 1.12.2017 passed by Motor Accident Claims Tribunal, Amritsar is set aside and case is remanded to such Tribunal with a direction to allow the claimants to implead United India Insurance Company Limited, Branch Office at Amritsar as respondent No. 3 in the claim petition

and then such Insurance Company would be afforded reasonable opportunity to file written reply. Thereafter on framing of additional issues, if need be and allowing the parties reasonable opportunities to lead evidence, the claim petition be decided afresh giving issue wise findings.

The Tribunal would make earnest efforts to dispose of the case expeditiously preferably within a period of six months from the date of receipt of order in that Tribunal. The parties through their counsel are directed to appear before Motor Accident Claims Tribunal, Amritsar or successor Tribunal on 17.10.2019.

The revision petition stands disposed of accordingly.

(H.S. MADAAN)
JUDGE

September 18, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No