

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

230

FAO-5372-2017(O&M)

Date of Decision : September 19, 2019

BRIJ MOHAN MITTAL AND ANR

.....Appellants

VERSUS

SUMIT AND ANR

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Rajesh Goyal, Advocate
for the appellants.

NIRMALJIT KAUR, J. (Oral)

CM-16906-CII-2017

Allowed, as prayed for.

CM-16907-CII-2017

For the reasons mentioned in the application, the application
is allowed and the delay of 60 days in re-filing of the appeal is condoned.

CM-16908-CII-2017

For the reasons mentioned in the application, the application
is allowed and the delay of 252 days in filing of the appeal is condoned.

Main case

No one appears on behalf of the respondents inspite of
service. They are accordingly proceeded against exparte.

Learned counsel for the appellants has placed on record the
driving licence by way of additional evidence qua issue No.3.

Accordingly, the matter is remanded back to the Tribunal to record the findings on the said issue by taking additional evidence on record.

Both the parties shall be at liberty to lead their respective evidence. Thereafter the Tribunal shall proceed to decide the recovery rights.

The amount of Rs.25,000/- as deposited before this Court shall, thereafter be released to the person, who finally succeeds before the Tribunal with respect to the issue of recovery right.

Disposed of accordingly.

September 19, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No