

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

CR-4739-2019 (O&M)
Date of decision : 10.01.2020

Ranjit Singh

...Petitioner

Versus

Amarjit Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Bikramjit Aroura, Advocate for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Owner of the offending vehicle has filed the present revision petition. Correctness of two orders passed by the Motor Accident Claims Tribunal, is assailed.

First order is Annexure P-8 through which an application for amendment of the written statement and to frame additional issue was dismissed.

The Court has noticed that the petitioner (respondent before the Motor Accident Claims Tribunal) has already taken a plea which is sought to be elaborated by way of proposed amendment. In fact, the petitioner herein wants to amend the pleadings claiming that the deceased was not son of the claimant. The Court after noticing the fact, has held that the petitioner has already taken a plea to this effect in the written statement that the claimant is not the legal heir of deceased Ram Singh. Thus, the

Court has held that the plea which is sought to be incorporated by way of amendment is already part of the original pleadings.

Second order is refusing to grant permission to lead additional evidence. Through this application, the petitioner wishes to produce an enquiry conducted by the police official on the complaint moved by the petitioner during the pendency of the claim petition, claiming that the claimant is not the legal heir of the deceased. The Court has held that already more than sufficient opportunities have been granted and such enquiry would neither be relevant nor binding on the Court.

This Court has heard learned counsel for the petitioner at length and with his able assistance gone through the paper book.

Learned Motor Accident Claims Tribunal has recorded cogent reasons to dismiss both the applications. It is apparent from the record that the petitioner, who is respondent before the Motor Accident Claims Tribunal being owner of the offending vehicle, is adopting all possible means to delay and frustrate the decision of the Court. The claim petition is pending for 3 years. The petitioner has already availed 6 opportunities to lead evidence but has himself not appeared in evidence.

In view thereof, there is no ground to interfere.

Accordingly, the present revision petition is dismissed.

10.01.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No