

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

135

CR-1617 of 2022
Date of Order: 02.05.2022

Mewa Devi

..Petitioner

Versus

National Insurance Company Limited and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.P.S.Bajwa, Advocate, for the petitioner

ANIL KSHETARPAL, J(Oral)

The Motor Accident Claims Tribunal, Jind,(hereinafter referred to as 'the Tribunal') has closed the evidence of the claimant by the order of the Court.

The petitioner (claimant) is the widow of late Sh Karan Singh, who is alleged to have lost his precious life in an automobile accident that happened on 04.06.2018.

During the pendency of the claim petition, on an application filed, the Tribunal issued summons to the Jurisdiction Officer of Income Tax Department, Hisar. The summons sent were not received back served or otherwise. The Tribunal issued a fresh notice while directing the petitioner to serve the respondents by taking dasti notice. Thereafter, the Tribunal closed the evidence.

While deciding the claim petition, particularly filed by a widow, who has already lost her husband, the Tribunal is required to adopt pragmatic view of the matter. Sometimes due to illiteracy, the litigant is unable to come up to the expectations of the Presiding Judge. In such circumstances, the court must rise to the occasion and help the litigant in

order to advance the cause of justice.

In this case, the Presiding Judge of the Tribunal has taken a myopic view of the matter.

Keeping in view the aforesaid order, the order under challenge is set aside.

Let the petitioner be granted one more opportunity to produce her entire evidence. If prayed for, the petitioner shall be entitled to get the fresh summons issued for summoning the concerned officer from the Income Tax Department.

With all these observations, the revision petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

May 02, 2022
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(ANIL KSHETARPAL)
JUDGE

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