

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

117

CR-3824-2022

Date of decision: 14.09.2022

Mohit Poonia and others

.....Petitioners

Versus

Satnam Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Varun Singh Dhanda, Advocate for the petitioners.

MANJARI NEHRU KAUL, J. (ORAL)

The instant revision petition has been filed under Article 227 of the Constitution of India for setting aside of the order dated 24.05.2022 (Annexure P-19) passed by learned Motor Accidents Claims Tribunal, Hisar (for short, 'the Tribunal') whereby evidence of the petitioners was closed by Court order and order dated 26.08.2022 (Annexure P-25) vide which an application filed by the petitioners for leading additional evidence was dismissed.

Learned counsel for the petitioners submits that it was on account of genuine reasons that the petitioners were unable to lead their evidence. A prayer has, therefore, been made that a compassionate and lenient view be taken and the petitioners may be granted one last effective opportunity to lead their evidence.

I have heard learned counsel and perused the relevant material on record.

The petitioners were granted several opportunities to lead their evidence, however, they failed to do so.

Be that as it may, if the petitioners are not granted one

more opportunity to lead their evidence, they would suffer irreparable loss which in turn would result in miscarriage of justice. Therefore, for just and proper adjudication of the case, this Court deems it appropriate to grant one last effective opportunity to the petitioners to lead their evidence.

In the wake of the above, without issuing notice to the respondents, to avoid any further delay as well as expenses which the respondents shall have to incur to defend these proceedings, the impugned orders dated 24.05.2022 and 26.08.2022, are set aside. The instant revision petition is allowed in the following terms:-

1. The petitioners are granted one last effective opportunity to lead their evidence.
2. In the event of default by the petitioners, the case shall not be adjourned any further for leading their evidence and consequently their evidence shall be deemed to be closed by order.
3. This, however, shall be subject to payment of costs in the sum of Rs.2,000/- to be paid to the respondents which shall be a condition precedent.

14.09.2022

Vinay

(MANJARI NEHRU KAUL)

JUDGE

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