

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117)

CR-747-2023 (O&M)

Date of Decision : February 06, 2023

Rajiv (since deceased) through his LRs

.. Petitioners

Versus

Narender and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ketan Antil, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-2196-CII-2023

As prayed for, the application is allowed.

CR-747-2023

Learned counsel for the petitioners contends that the claim before the Motor Accident Claims Tribunal has been filed and in order for the said claim to being a beneficial legislation qua the claimants of compensation under Motor Accident in respect of victim, who had suffered the accident, the petitioners/claimants be given one opportunity to lead their entire evidence especially when, the evidence of the petitioners/claimants has been closed by the trial Court vide order dated 23.11.2022 (Annexure P-8) except for the cross-examination of PW-2 and PW-3.

As the claim of the petitioners has been raised under a beneficial legislation so as to compensate the family of the victim suffering

injuries in the accident.

As the respondents are being allowed to cross-examine the witnesses of the plaintiff i.e. PW-2 and PW-3, it will be in the interest of justice that one opportunity be given to the petitioners/claimants to produce the entire evidence as being prayed for in the present civil revision petition.

Keeping in view the facts and circumstances mentioned hereinbefore, the petitioners be granted another opportunity to lead all the evidence on the next date of hearing i.e. 07.02.2023 or grant one opportunity after the next date of hearing before the trial Court to lead the entire evidence. It is made clear that no further opportunity will be granted for leading the evidence to the petitioners in case they do not avail the benefit of the said order.

The present civil revision petition is allowed in above terms.

February 06, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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