

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-2497-2022 (O&M)
Date of decision : 25.05.2023

Pawan Chaudhary ... Petitioner(s)

Versus

Amarjeet Singh And Ors. ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Ekta Thakur, Advocate for the petitioner.

Mr. Sandeep Suri, Advocate for respondent No.3.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed challenging the order dated 24.03.2022 whereby the evidence of the claimant-petitioner has been closed.
2. Learned counsel for the claimant-petitioner would contend that the claimant-petitioner could not come present to lead his evidence due to the situation created because of Covid-19 Pandemic as he has gone to his village. Learned counsel would further contend that if given one effective opportunity, the claimant-petitioner would lead his entire evidence at his own risk and responsibility.
3. *Per contra*, learned counsel for respondent No.3 has contended that seven effective opportunities were given and despite that, the evidence has not been led.

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4. Heard.

5. In the present case, the claim petition is qua the damage to the vehicle. The evidence of the claimant-petitioner has been closed on the ground that despite seven effective opportunities, the evidence was not led. Grave injustice would be caused to the claimant-petitioner if he is not permitted to lead his evidence. Therefore, in order to do complete justice between the parties, one effective opportunity is to be granted to the claimant-petitioner to lead his entire evidence at his own risk and responsibility.

6. In view of the above, the present revision petition is allowed and the impugned order is set aside. The Tribunal is directed to grant one effective opportunity to the claimant-petitioner to lead his entire evidence at his own risk and responsibility.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

25.05.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO