

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

Civil Revision No.3543 of 2023

Date of Decision: 02.06.2023

Parveen Dogra

...Petitioner

Versus

Ajay & Others

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Vishwajeet, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant revision-petition, the petitioner-claimant (here-in-after to be referred as 'the petitioner') has laid challenge to the order (Annexure P-11) passed by learned Motor Accident Claims Tribunal, Ambala (for short 'the Tribunal') on 09.03.2023, whereby her evidence in MACP No.183 of 2021 tilted as "*Parveen Dogra vs. Ajay & Ors.*", has been closed.

2. I have heard learned counsel for the petitioner in the present revision petition, at the preliminary stage and have also gone through the file carefully.

3. Though the petitioner has failed to conclude her evidence well in time but keeping in view the fact that in case, she is deprived from adducing/ concluding her evidence, so as to substantiate her claim for compensation, as put-forth in the above-said petition, on account of the death of her young son in a motor vehicular accident, it will cause an irreparable loss to her that may further result in the mis-carriage of justice, this Court is of the considered

opinion that it would be in the fitness of the things and the ends of justice will also be best served if she is afforded two more opportunities to conclude her evidence but however, the payment of the cost shall be a condition precedent for this purpose.

4. Resultantly, without issuing the notice to the respondents so as to avoid any further delay in the trial of the afore-referred Petition and also to avert the expenses that they may have to incur to defend in the instant revision petition, the impugned order dated 09.03.2023 (Annexure P-11) is set-aside and the revision petition in hand is hereby disposed of with a direction to the Tribunal to afford two more effective opportunities to the petitioner to conclude her evidence, subject to the payment of the cost of Rs.5,000/- by her on 13.07.2023, i.e the next date of hearing as stated to have been fixed in the said MAC Petition and in case of default on her (petitioner's) part to pay the cost on the above-said date or to conclude her evidence in the afore-granted two opportunities, she shall not be entitled for any further opportunities for the above-said purposes.

5. However, it is further clarified that in the eventuality of any of the respondents feeling aggrieved by this order, he/she shall be at liberty to move an appropriate application to contest the present petition.

02nd June, 2023
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(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No