

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

CR-5725-2022 (O&M)

Date of decision: 23.02.2023

Sagar Singh

...Petitioner

Versus

Anita Rani and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Vivek Gupta, Advocate for the petitioner.

Mr. A.K. Garg, Advocate for respondents No.1 to 3.

H.S. MADAAN, J. (Oral)

Feeling aggrieved by order dated 21.11.2022 passed by Motor Accidents Claims Tribunal, Sangrur in a claim petition titled as 'Anita Rani and others Vs. Sagar Singh and another' pending there, vide which cross-examination of witness Sanjiv Bansal on behalf of respondent No.1 was treated as 'Nil', such respondent has approached this Court by way of filing the present revision petition, praying that such impugned order passed by Motor Accidents Claims Tribunal, Sangrur be set aside and he be afforded an opportunity to cross-examine PW Sanjiv Bansal.

Notice of the revision petition was given to the respondents/claimants, who have put in appearance through counsel.

After hearing counsel for the parties and going through the

record, I find that indeed the revision petitioner/respondent No.1 was negligent in not ensuring the appearance of his counsel before the Motor Accidents Claims Tribunal, Sangrur, however, in the interest of justice, an opportunity can be given to him to cross examine PW Sanjiv Bansal on payment of costs. Therefore, the revision petition is disposed of inasmuch as the impugned order is set aside and the revision petitioner/respondent No.1 is granted one opportunity to cross examine witness Sanjiv Bansal subject to payment of Rs.10,000/- as costs to the claimants. Payment of costs to the claimants shall be a condition precedent to allow the revision petitioner/respondent No.1 to cross-examine the witness, failing which the revision petition is to be taken as dismissed. On deposit/payment of costs, the tribunal would fix a date for cross-examination of PW Sanjiv Bansal on which date, the claimants shall ensure his appearance before the tribunal.

It is made clear that only one opportunity is to be granted to the revision petitioner for the purpose of cross-examination of witness Sanjiv Bansal and request for further adjournment shall be declined outrightly.

23.02.2023

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No