

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 5838 of 2022 (O&M)****Date of Decision: 08.11.2023**

Ravi Kumar alias Ravi Kant Mahajan

... Petitioner(s)

Versus

National Insurance Company Limited and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Mr. Ritesh Pandey, Advocate
for the petitioner(s).Mr. Aseem Aggarwal, Advocate
for the respondent No.1.**Anil Kshetarpal, J.**

1. Vide order dated 12.10.2022 (Annexure P5), the Motor Accidents Claims Tribunal (hereinafter referred to as “the Tribunal”) has issued the warrants of arrest of the petitioner. While deciding the claim petition, the Tribunal permitted the National Insurance Company Limited to recover the amount from the owner and the driver. The application filed by the National Insurance Company Limited for recovery of the amount is pending before the Tribunal. It has been stated that the petitioner, despite service of notice, did not enter appearance forcing the Tribunal to issue the warrants of arrest.

2. On 12.12.2022, the following order was passed:-

“Learned counsel for the petitioner inter alia contends that in order to show his bonafide, appellant will deposit 50% of the principal amount as awarded by the learned Tribunal

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with the Executing Court within a period of two weeks from today.

Notice of motion for 17.04.2023.

In the meanwhile, execution of warrant of arrest shall remain stayed. The deposit shall be without prejudice to the rights of the petitioner. It is made clear that in case, the amount as directed above, is not deposited within the prescribed period, the interim order shall stand vacated.”

3. The learned counsel representing the petitioner submits that 50% of the principal amount i.e. ₹1,67,000/- has already been deposited with the Tribunal and the petitioner undertakes to appear before the Tribunal on 24.11.2023.

4. Keeping in view the aforesaid facts, if the petitioner enters appearance before the Tribunal on 24.11.2023, the warrants of arrest of the petitioner shall be kept in abeyance. Thereafter, the Tribunal will proceed in accordance with the law.

5. With the observations made above, the present revision petition is disposed of.

6. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

November 08, 2023
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No