

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.7763 of 2017 (O&M)

Date of Order:29.04.2024

Lajwanti

.Petitioner

Versus

Paramjeet Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Anshul Jindal, Advocate
for the petitioner.****Mr. D.P.Gupta, Advocate
for respondent no.3.****ANIL KSHETARPAL, J****C.M.No.4538-CII-2023**

1. For the reasons mentioned in the application, which is supported by the affidavit, the same is allowed and the United Indian Insurance Company Limited, Karnal Road, Kaithal, is impleaded as respondent no.3.

MAIN

2. The petitioner before this court is claimant before the Motor Accident Claims Tribunal (hereinafter referred to as 'the Tribunal') in a claim petition filed under Section 166 of the Motor Vehicle Act, 1988, to seek assessment of the compensation on account of death of Sh. Aman Kumar.

3. On 25.10.2017, the evidence of the petitioner was closed by the Tribunal. This order was passed despite request to the court that the witness's family member was suffering from fever.

4. While deciding the claim petitions, the court is required to be little bit more indulgence towards the claimants who has already lost their

family members. The entire object of establishing the Tribunal is to enable the claimants to get compensation in an expeditious manner. In these matters, the court is required to take a holistic view. Here are the claimants who are claiming compensation for death of a family member. The court could have adjourned the case for a short date to enable the witness to appear.

5. Keeping in view the aforesaid facts, the revision petition is allowed and the order dated 25.10.2017 is set aside.
6. The Tribunal is directed to provide another opportunity to the petitioner to examine the witness.
7. All the pending miscellaneous applications, if any, are also disposed of.

April 29, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:YES/NO
:YES/NO