



CR-2715-2024 (O&M) -1-

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CR-2715-2024 (O&M)
Date of decision:13.05.2024

Mamta & others

... Petitioners

Vs.

Khursid Ahmad

... Respondent

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

Present: Mr. Sanjay Jain, Advocate for the petitioners.

...

SUKHVINDER KAUR, J.

1. The instant revision petition has been filed by the claimants/petitioners against the order dated 28.07.2023 (Annexure P-1) passed by the Motor Accident Claims Tribunal, Ambala, (hereinafter to be referred to as 'the Tribunal'), whereby evidence of the claimants/petitioners has been closed by order.

2. Brief facts which are material for adjudication of the present revision petition are that the revision petitioners/claimants filed a claim petition before the Tribunal in the year 2020 on account of death of Sh. Manglesh Kumar.

3. During the pendency of the claim petition, various opportunities were provided to the petitioners/claimants to lead their evidence but they failed to conclude the same. Thereafter, while passing the impugned order on 28.07.2023, evidence of the petitioners was closed



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by the Tribunal by order. Aggrieved against the said order, the revision petitioners/claimants have knocked the the doors of this Court.

4. Learned counsel for the petitioners has submitted that due to certain unavoidable circumstances, the petitioners could not lead their evidence and in case they are not granted an opportunity to lead their evidence, then the same would cause irreparable loss to them and therefore they seek indulgence of this Court for grant of one effective opportunity to lead their entire evidence.

5. I have heard learned counsel for the petitioners at length and have perused the pleadings on record

6. Perusal of the impugned order reveals that the petitioners inspite of availing four effective opportunities for concluding their evidence, failed to conclude their evidence and then it was closed by the trial Court vide the impugned order dated 28.07.2023 (Annexure P-1).

7. Keeping in view that it is a claim petition that has been filed by the claimants on account of accidental death of Manglesh Kumar and it being a public interest litigation, it will be appropriate, if in the interest of justice, one effective opportunity is given to the petitioners to conclude their entire evidence. The other party can be well compensated with costs. Therefore, the impugned order is set aside. The trial Court is directed to grant one effective opportunity to the petitioners to conclude their entire evidence at their own responsibility subject to payment of costs of Rs.2,000/- to be paid to the respondent.



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- 8. Revision petition is allowed in the aforesaid terms.
- 9. Pending application(s), if any, shall also stand disposed of.

(SUKHVINDER KAUR)
JUDGE

13.05.2024
harjeet

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |