



**132-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-2816-2024

Date of Decision: 09.05.2024

Oriental Insurance Company Ltd.

...Petitioner

Versus

Vinod Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Ram Avtar, Advocate
for the petitioner.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 14.02.2024 (Annexure P-1) passed by the Ld. MACT, Narnaul whereby defence of the petitioner-Insurance company (respondent No.3 in the claim petition) has been struck off.

2. Learned counsel for the petitioner fairly submits that there are three different claim petitions arisen out of the same accident pending in two different MACT Courts in Narnaul and petitioner-company has already filed the written statement in one claim petition but failed to file the written statements in other two claim petitions for the reasons that the counsel for the insurance company before the Tribunal was under this impression that he has filed the written statements in all the three claim petitions and this confusion arisen due to pendency of claim petitions in two different MACT Courts.

3. After arguing for some time, learned counsel for the petitioner submits that if one opportunity is given to the petitioner then petitioner would

file the written statement on the next date fixed before the Tribunal i.e. 13.05.2024.

4. If notice is given to the other side it may further delay the disposal of case and may further put financial burden upon respondents/claimants.

5. So, in the interest of justice, order order dated 14.02.2024 (Annexure P-1) passed by the MACT, Narnaul is hereby set aside and this petition is disposed of with a direction to the MACT, Narnaul to give one opportunity to the petitioner to file written statement to the claim petition on the next date, fixed before the Tribunal but subject to payment of costs of Rs.2,000/- to be paid to the claimants.

6. In case of default, this order shall stand automatically vacated.

7. If the respondents are not satisfied with this order, they can move an application for recalling of this order within 30 days.

09.05.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No