



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

129

CR-7281-2024

Date of Decision: 16.12.2024

Suresh Kumar

....Petitioner

Versus

Manpreet @ Sourbh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Sumit Sangwan, Advocate
for the petitioner.

VIKAS SURI, J. (Oral)

1. This revision petition under Article 227 of the Constitution of India has been filed by the claimant-petitioner for a direction to learned Motor Accident Claims Tribunal, Karnal, to decide the claim petition in a time bound manner.

2. Learned counsel for the petitioner submits that the petitioner-claimant filed a petition under Sections 166 and 140 of the Motor Vehicles Act, 1988, on account of demise of Smt. Shyamo Devi in a road side motor vehicular accident that occurred on 29.05.2019. The claim petition was



-: 2 :-

instituted on 23.07.2019. The claimant led his evidence and the same was closed vide order dated 29.02.2020. Thereafter, respondents also led their respective evidence. The driver of the offending vehicle, i.e. respondent No.1, was proceeded against *ex parte* vide order dated 10.03.2023 (Annexure P-4). During the same hearing, an application under Order 41 Rule 27 read with Section 151 CPC for additional evidence was moved by respondent No.2, which was allowed vide order dated 10.03.2023. Thereafter, the said respondent No.2 filed another application under Order 6 Rule 17 read with Section 151 CPC seeking amendment of the written statement. Notice of the said application was issued and reply thereto stands filed on 22.12.2023.

3. Grievance raised by learned counsel for the petitioner before this Court is that despite several adjournments having been granted, the respondents are not coming forward to argue their application seeking amendment of the written statement. It is further submitted that out of the aforesaid seven adjournments, on two occasions, the learned Presiding Officer was on leave. The claimant-petitioner was totally dependent upon the earnings of the deceased and as such, is in penury and the only ray of hope is the compensation. It is further submitted that the proceedings are now pending for 29.01.2025.

4. Having heard learned counsel for the petitioner and perused the paperbook, the present revision petition is disposed of with a direction to the Tribunal to dispose of the application seeking amendment of the written statement on the date already fixed before it or within six weeks thereafter. Keeping in view that the claim petition was instituted way back on 23.07.2019



-: 3 :-

and the parties have led their respective evidence, the claim petition be also disposed of expeditiously, in accordance with law.

5. Revision petition is disposed of in the aforesaid terms.

December 16, 2024
Varinder

(VIKAS SURI)
JUDGE

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