

2025:PHHC:011083



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

276-A

CR-606-2023 (O&M)

Date of Decision : 24.01.2025

SONU DEVI AND ANR

.... Petitioners

VERSUS

PARVEEN KUMAR AND ORS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Dushyant Rana, Advocate for the petitioners.

Mr. Dinesh Maurya, Advocate for respondent No.2.

Mr. Sanjeev Kodan, Advocate for respondent No.3.

None for respondents No.1, 4, 5, 6 and 7.

ALKA SARIN, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 23.01.2023 (Annexure P-6) passed by the learned Motor Accident Claims Tribunal, Ambala (hereinafter referred to as 'the Tribunal') whereby the evidence of the petitioners was closed by order.

2. Learned counsel for the petitioners would contend that in the accident three young lives were lost and the claim petition has been preferred by the sisters of the deceased. It is further the contention that due to the loss suffered by the petitioners, being sisters of the deceased, they were unable to lead their evidence on time. Learned counsel would further

contend that only one witness remains to be examined and that given one opportunity the petitioners would conclude their evidence.

3. *Per contra*, learned counsel for respondent No.2 would contend that sufficient opportunities had already been granted to the petitioners for leading their evidence and that no fault can be found with the order passed by the Tribunal concerned.

4. Heard.

5. The present is a hard case where three young lives were lost in an unfortunate accident. The claim petition has been filed by the sisters of the deceased. Due to the immense loss, the petitioners were unable to lead their evidence despite availing sufficient opportunities. However, keeping in view the nature of the litigation and that fact that the Motor Vehicles Act is a beneficial piece of legislation, this Court deems it fit to grant one opportunity to the petitioners to conclude their evidence.

6. In view thereof, the impugned order dated 23.01.2023 is set aside and the petitioners are granted one effective opportunity to lead their evidence. The Tribunal concerned is requested not to grant any unnecessary adjournment to either of the parties.

7. Revision petition stands disposed off. Pending applications, if any, also stand disposed off.

24.01.2025
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No