

**CR-6592-2025**

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

(125)

CR-6592-2025

Date of Decision:-17.09.2025

Gurmeet Singh and Another

.....Petitioners

Versus

Chirag Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Tejas Bansal, Advocate, and
Mr. Ojas Bansal, Advocate,
for the petitioners.

AMARINDER SINGH GREWAL, J. (Oral)

1. The present civil revision petition has been filed under Article 227 of the Constitution of India *inter alia* praying for setting aside the impugned order dated 21.08.2025 (Annexure P-1) passed by the learned Motor Accidents Claim Tribunal, Sirsa in *MACP No.122/2019*, whereby an application dated 25.09.2024 (Annexure P-6) filed by the claimant/respondent for leading additional evidence was allowed.

2. Brief facts of the case are that the respondent/claimant filed a petition under Section 166 of the Motor Vehicles Act, 1988 seeking compensation of Rs.60,00,000/- along with interest on account of injuries and permanent disability allegedly sustained in a motor accident, while driving the tractor bearing registration No.HR-24P/7695, by petitioner No.1. The petitioners filed written statement and issues were framed vide order dated 20.01.2020. The claimant concluded his evidence on



23.02.2023 and the petitioners led their evidence and closed the same on 19.10.2023. Thereafter, the matter was fixed for rebuttal evidence, if any and for arguments.

3. At that stage, the respondent moved an application for additional evidence to summon Dr. Ishu Bishnoi, seeking to place on record the corrected certificate dated 29.07.2020 wherein the date of accident was altered from 28.10.2017 to 26.10.2018. Despite opposition, the learned Tribunal allowed the application vide order dated 21.08.2025. Hence the present revision petition.

4. Learned counsel for the petitioners *inter alia* submits that the application was filed at a belated stage of the trial, after closure of their evidence which amounts to fill up lacunae. It is further submitted that PW-5 was not the treating doctor of the claimant. He admitted that he had never treated the claimant, however, the disability certificate has been issued only on the basis of a discharge summary. He further submits that the corrected certificate, which merely changes the date of the accident, holds no relevance to the adjudication on the issue of disability. He relies upon the judgments passed by this Court in the case of “***Rajender Kumar Vs Amar Singh (Deceased) thr. LRs & Ors and Gian Singh Vs Achhar Kumar,***” to submit that additional evidence cannot be permitted to fill up gaps in pleadings or evidence.

5. I have heard learned counsel for the petitioners and perused the paper book.

6. Considering the limited nature of the relief sought by the petitioners, issuance of notice to the respondent is dispensed with, as the



same would further delay the proceedings.

7. It is an undisputed fact that during the course of proceedings, PW-5 Dr. Ishu Bishnoi had already appeared as a witness and proved that the disability certificate, issued by him. The correction sought to be brought on record through additional certificate dated 29.07.2020 relates only to the date of accident, which had been inadvertently mentioned as 28.10.2017 instead of 26.10.2018. The correction is thus clerical in nature and does not amount to introducing any new evidence beyond the scope of the issues already framed. The argument raised by counsel for the petitioners that the application was filed at a belated stage is not convincing. If there is an inadvertent error in the disability certificate which, if left uncorrected, may cause prejudice to the claimant, the Tribunal is well within its jurisdiction to allow rectification of such error, even at a later stage, provided the opposite party is afforded an opportunity to cross-examine the witness.

8. It is further to be noticed that by permitting the corrected certificate, no new factual foundation is being laid and no lacuna is being filled. The disability of the claimant and the issuance of certificate by PW-5 had already been brought on record. The contention that PW-5 was not the treating doctor and had only issued a disability assessment cannot be a ground to discard the additional evidence. The learned Tribunal, while allowing the application, rightly exercised its discretion in furtherance of the ends of justice. It has been consistently held by the Hon'ble Supreme Court and this Court that procedural rules are handmaid of justice and should not be allowed to thwart substantial justice on technical grounds.



9. Consequently, this Court finds no infirmity or perversity in the impugned order dated 21.08.2025 (Annexure P-1) passed by the learned Motor Accidents Claim Tribunal, Sirsa. Accordingly, the present Civil Revision Petition stands **dismissed**.

10. Pending application(s), if any, shall also stand disposed of.

(AMARINDER SINGH GREWAL)
JUDGE

17.09.2025
Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No