



FAO-4647-2025 (O&amp;M)

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

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FAO-4647-2025 (O&M)  
Date of decision: 27.08.2025

SAROOP SINGH

...Appellant

Versus

RAGHBIR SINGH @ BUTTO AND ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. I.S. Kooner, Advocate  
for the appellant.

Mr. Imran Ali, Advocate  
for respondent No.2.

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**HARPREET KAUR JEEWAN, J.**

1. The present appeal has been filed against the Award dated 22.04.2025 passed by the Motor Accident Claims Tribunal, Hoshiarpur (for short, 'the Tribunal'), whereby compensation has been awarded to the appellant without proper evaluation of his 40% disability.

2. Learned counsel for the appellant submits that despite the fact that Dr. Gurminder Singh (CW-2), who issued the disability certificate showing 40% disability of the appellant was examined, no compensation has been awarded on account of the appellant's disability.

3. Learned counsel for the appellant further submits that even the functional disability of the appellant has not been properly evaluated by the



Tribunal. It is contended that the disability certificate (Annexure A-1) was not exhibited and was merely marked as Mark Y. As such, great hardship has been caused to the appellant-injured as no compensation has been awarded towards his disability.

4. On the other hand, learned counsel for respondent No. 2-Insurance Company submits that proper opportunity was granted to the appellant to lead his evidence, which he duly availed. As such, there is no illegality or irregularity in the Award passed by the Tribunal.

5. I have considered the aforesaid submissions and perused the paper-book.

6. It is not disputed that the medical evidence was led to prove the Disability Certificate, but the Certificate was not exhibited. There is no discussion by the learned Tribunal about the functional disability of the petitioner. Even no compensation regarding this aspect has been awarded.

7. Without expressing any opinion on the merits of the case, this Court deems it fit to remand back the matter to the Tribunal to assess a compensation afresh in accordance with law.

8. Both the parties are directed to appear before the Tribunal on 29.09.2025 and the Tribunal shall decide the matter afresh after recording a fresh statement of the doctor, who had issued the disability certificate and who had treated the petitioner. Needless to say that the respondent shall be awarded an opportunity to rebut the said evidence. This exercise be completed within a period of six months on receipt of a copy of this judgment.

9. The appeal is disposed of accordingly.



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10. All the pending miscellaneous applications, if any, shall stand disposed of.

**(HARPREET KAUR JEEWAN)  
JUDGE**

**27.08.2025**

P.Bhatt

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