



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

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CR-3866-2023**Date of decision : 07.05.2025****Amit Kumar and another****..... Petitioners****versus****Rajender Singh and others****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Gautam Kaile, Advocate and
Ms. Poonam Saroya, Advocate
for the petitioners.

Mr. P.R. Yadav, Advocate for
Mr. Surender Saini, Advocate
for respondents No.1 and 2.

PANKAJ JAIN, J. (Oral)

1. Challenge is to the order dated 20.05.2023, whereby application filed by the claimants seeking opportunity to lead additional evidence has been rejected by MACT, Sonipat.

2. Petitioners are the claimants, who are before MACT in petition under Section 166 of the Motor Vehicles Act. Application was moved seeking amendment in the claim petition and for grant of permission to lead additional evidence by summoning following witnesses:-

(i) Concerned Clerk/HR Manager Mayra Foils Pvt. Ltd., Plot no.333 Sec-57 phase IV, Kundli Industrial Area, Sonapat alongwith the service/salary record of Sonu Kumar son of Shri Ramesh R/o Village Deepalpur Sonapat who was working as operator.



(ii) Criminal Ahalmad, court of shri Parveen Kumar, Ld.JMIC Sonapat along with the case titled as State V/s Rajender, FIR No.274/2021 U/s 279/337 IPC.

(iii) Concerned Doctor, patil nursing Home, Adarsh Nagar, Sonapat along with treatment and bill records of Sonu Kumar and Amit sons of Sh Ramesh R/o Village Deepalpur Sonapat vide opd no. 4 and 12 etc from 26.04.2021 to onward.

(iv) Dr. Rahul Chauhan Civil Hospital Sonapat along with the record of MLR No.RC/626/SNP/2021 of Mr. Amit son Ramesh R/o Village Deepalpur Sonapat

(v) Complainant Sonu S/o Ramesh and Amit S/o Ramesh R/o Village Deeplapur, Sonipat. Injured and Complainant/ Eyewitness.

(vi) Proprietor of Ansh Motors Gohana road, near sadar police station Sonapat along with service/salary record of Amit son of Ramesh R/o Village Deepalpur Distt. Sonipat who as working forman in Ansh Motor.”

3. Prayer for amendment of claim petition was allowed vide order dated 02.02.2023. However, application seeking permission to lead additional evidence has been declined. Tribunal held that sufficient opportunities already stand availed by the claimants to conclude their evidence. The claimants in their application seeking amendment specifically pleaded that they will not claim any fresh issue, thus there is no reason to allow claimants for the opportunity to lead evidence.

4. In the considered opinion of this Court, the objective of the MACT Act being beneficial and benevolent, Tribunal ought to have been liberal in dealing with the application filed by the claimants. Four witnesses sought to be examined by the petitioners are official



witnesses. Out of remaining, one is an eye witness and the other is working as formen with the workshop wherein the deceased was employed. None of them can be said to be not a relevant witness.

5. In view of above, the present revision petition is disposed off. Impugned order is hereby set aside. Claimants are granted two opportunities to examine witnesses as detailed out in the application dated 02.03.2023.

6. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

07.05.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No