



CR No. 5919 of 2025 (O&M) -1-

124 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CR No. 5919 of 2025 (O&M)  
DATE OF DECISION: 04.09.2025

GAURAV KOCHHAR

.....PETITIONER

Vs.

HAPPY AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr.Gurpreet Singh, Advocate,  
for the petitioner.

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**AMARINDER SINGH GREWAL, J.**

1. Prayer in the present Civil Revision Petition filed under Article 227 of the Constitution of India is for setting aside the impugned order dated 08.08.2025 (Annexure P-8), passed by the learned Additional District Judge, Chandigarh, whereby the application filed by respondent No. 4 – The New India Assurance Company Ltd. for leading additional evidence has been allowed.

2. The brief facts of the case are that respondents No. 1 to 3 – Happy and others, had filed a claim petition dated 30.07.2019 (Annexure P-1) before the Motor Accidents Claims Tribunal, Chandigarh (for short, *the Tribunal*), under Section 166 of the Motor Vehicles Act, 1988, seeking compensation on account of the death of Babli, wife of Jasbir Singh, in a motor vehicle accident on 02.06.2019.



2.1 A written statement dated 04.12.2019 (Annexure P-2) was filed by the respondents, including respondent No. 4 – The New India Assurance Company Ltd., which was impleaded as respondent No. 3 before the Tribunal. After framing of issues, evidence was led by the parties. However, respondent No. 3 before the Tribunal, i.e. The New India Assurance Company Ltd., failed to conclude its evidence despite availing opportunities. As such, the evidence of the insurance company was closed by “Court order” on 26.09.2024.

2.2 Thereafter, an application was moved by the insurance company for leading additional evidence by examining the concerned Clerk from the RLA, Jalandhar, to prove the verification of driving licence No. 04044, dated 16.06.1999. The said application was allowed vide order dated 08.08.2025 (Annexure P-8), which is now under challenge.

3. Learned counsel for the petitioner submitted that the respondents had already examined RW-3 HC Mohinder Singh before the Tribunal, who brought the summoned record, i.e. copy of complaint No. 2270/P/SSP, dated 11.06.2019, moved by the petitioner Gourav Kochar. Further, RW-3 HC Mohinder Singh proved the report of the SHO, dated 06.07.2019, No. 197/5-S, Police Station Kharar, Ex. R3/2, as also the report of the Investigating Officer dated 06.07.2019, and the report of the Deputy Superintendent of Police, dated 31.07.2019, No. 728/5-C/DSP, Kharar, Ex. R3/4. RW-3 HC Mohinder Singh was duly cross-examined by the counsel for the insurance company. It was thus contended that once the aforesaid reports were already on record before the Tribunal, there was no justification for allowing the application of the insurance company for



leading additional evidence. Accordingly, a prayer was made for setting aside the impugned order dated 08.08.2025 (Annexure P-8).

4. I have heard learned counsel for the petitioner-revisionist and perused the paper-book.

5. In view of the order proposed to be passed, notice is not being issued to the respondents as the same would delay the proceedings besides entailing additional expense.

6. On hearing the submissions, it is evident that the application for leading additional evidence was filed by the insurance company on the ground that, during verification, its investigator had obtained a report from the Licensing Authority, Jalandhar, stating that driving licence No. 04044, dated 16.06.1999, had not been issued to Gaurav Kochar (petitioner) but to one Suratha, son of Gayatri Lal. In these circumstances, as the insurance company seeks to summon the concerned Clerk from the Licensing Authority, Jalandhar, for verification of the said licence, the petitioner cannot legitimately object to such production of best evidence. The Tribunal can arrive at a proper adjudication of the case only when the relevant evidence is duly led before it. Indeed, it is only the Licensing Authority which can conclusively prove whether the driving licence of the petitioner was issued by it or not.

7. Thus, this Court finds no merit in the prayer for setting aside the impugned order dated 08.08.2025 (Annexure P-8), passed by the learned Additional District Judge, Chandigarh.

8. Finding no illegality in the said order, the present revision petition, being devoid of merit, is accordingly dismissed.



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

**SEPTEMBER 04, 2025**  
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**(AMARINDER SINGH GREWAL)**  
**JUDGE**

Whether Speaking	Yes/No
Whether Reportable	Yes/No