



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

**CR-5016-2025(O&M)
Date of Decision: July 31, 2025**

Ram Singh

...Petitioner

Versus

Pawan Kumar @ Pawan Kumar Bansal @ Happy and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.N.S.Sidhu, Advocate
for the petitioner.

ARCHANA PURI, J.

Challenge in the present revision petition is to the order dated 28.05.2025 passed by learned Motor Accident Claims Tribunal, whereby, defence of the petitioner (who was respondent No.2 before the Tribunal) has been struck off, on account of non-filing of the reply.

Keeping in view the reasons, as shall be observed further, this Court deem it appropriate to dispose of the present revision petition, without issuing notice to the respondents.

Learned counsel for the petitioner heard.

The essential facts, to be noticed, are as follows:-

That, initially Pawan Kumar @ Pawan Kumar Bansal @ Happy and Santosh Rani had filed claim petition for seeking compensation, on account

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of death of Rinkal Bansal, in a motor vehicular accident. The present petitioner was impleaded as respondent No.2, being registered owner of the Alto car bearing registration No.PB-03L-5797, involved in the accident.

From the zimini orders, placed on record as Annexure P-2, it is evident that claim petition was dealt with for the first time on 28.10.2024 and notice was issued for 17.12.2024. Learned counsel for the present petitioner (respondent No.2 therein) had made appearance and filed Power of Attorney, while also making appearance on behalf of respondent No.1 and further the case was adjourned to 28.01.2025. On 28.01.2025, reply was not filed and last opportunity was granted for 25.02.2025. On 24.02.2025, the file was taken up, as the Presiding Officer was proceeding on leave on the date fixed and the case was adjourned for 01.04.2025. On 01.04.2025, reply was not filed and the case was adjourned for 29.04.2025, for the same purpose and date was fixed thereafter for 28.05.2025. On 28.05.2025, the reply was not filed by the petitioner-respondent No.2 and his defence was struck off vide impugned order.

From the perusal of the zimini orders, it is evident that definitely, despite availing several opportunities, there was delay, on the part of the petitioner, for not filing the reply. But however, it has to be kept in mind that Motor Vehicle Act is a benevolent piece of legislation.

On query by the Court, it has been disclosed by learned counsel for the petitioner-respondent No.2 that reply to the claim petition, which is ready, shall be filed on the next date of hearing i.e. 01.08.2025.

Considering the same, in the fitness of circumstances, it is

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appropriate to grant one opportunity to the petitioner to file reply. The petitioner is directed to make appearance before learned Tribunal and file reply, on the date fixed i.e. 01.08.2025 and if under any constrained circumstances, he fails to file the reply, the same may be filed within a period of three days thereafter.

In view of the aforesaid terms, the present revision stands allowed.

A copy of this order be supplied to learned counsel for the petitioner under the signatures of Reader/Superintendent of this Court.

July 31, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No