

MACT 296/23

DAR-Saurabh Kumar v. Prem Chand & Ors.

05.12.2024

Video Conferencing is not functioning properly.

Present : Sh. J.P. Singh, counsel for the petitioner with petitioner.
None for R1 and R1.
Ms. Vandana Surana, counsel for R3/ insurer.

Today, the matter is fixed for PE, however, adjournment has been sought by learned counsel for the petitioner on the ground that permanent disability certificate of the petitioner has not yet been issued by the concerned doctor.

Perusal of record shows that issues in this case were framed on 24.01.2024 and merely because disability certificate has not been issued, that does not give any right to the petitioner to seek adjournment as without there being the disability certificate, the evidence could be led. As and when the disability certificate comes, the percentage of functional disability of the petitioner shall also be considered by the Tribunal to ascertain the compensation for which the petitioner would be entitled.

In these circumstances, petitioner is directed to lead evidence on the next date of hearing, failing which, in the interest of justice, the petitioner would not be entitled to the interest on the award amount which would be passed in favour of the petitioner for the period since the date of framing of issues till the completion of the deposition of the witnesses of the petitioner.

Petitioner is hereby given indulgence to file list of list of witnesses, if already not filed, within two weeks, and to supply advance copy of the affidavits of the evidence of his witnesses at least two weeks before the next date of hearing to the opposite side. If directions of the Tribunal are not complied with, it shall have adverse consequences to the petitioner.

Put up for PE on **07.03.2025**.

(Vijay Kumar Jha)
PO MACT-01 (SHD)/ KKD
Delhi/05.12.2024