
(2025) 10 SHI CK 1298
In the High Court Of Himachal Pradesh
Case No : CMPMO No. 386 Of 2025

ICICI Lombard General Insurance Company Limited	APPELLANT
Vs	
Suresh Kumar & Others	RESPONDENT

Date of Decision : 28-10-2025

Acts Referred:

Constitution Of India, 1950 — Article 227

Citation : (2025) 10 SHI CK 1298

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Jagdish Thakur, Gurdcv Negi, Vinay Thakur

Final Decision : Dismissed

Judgement

Ajay Mohan Goel, J

1. By way of this petition, the petitioner has assailed order dated 17.06.2025, passed by learned Court below, which reads as under:-

"Respondent No.1 has examined himself as RW-2 and closed his evidence. State of Ld. Counsel for respondent No.3 recorded to this effect. Respondent No.3 has examined Ms. Ritika Kamboj, Legal Manager, ICICI Lombard as RW-1 and closed evidence vide separate statement.

Now to come up for arguments on 14.07.2025."

2. Learned Counsel for the petitioner submitted that the impugned order is erroneous as the learned Court below has closed the evidence of the present petitioner without realizing that there were certain witnesses for the purpose of whose presence process fee etc. was paid, yet they were not duly served and therefore, there was no occasion for the petitioner to have had closed the evidence, as stands recorded in the impugned order.

3. This Court is of the considered view that as the impugned order is suggestive of the fact that the learned Tribunal below closed the evidence of the present

petitioner in terms of the statement of the learned Counsel separately recorded who was representing the petitioner before he said Tribunal, the order per se does not suffers from any pe ve si y so as to call for interference under Article 227 of the Constitution of India. It was on the statement of the learned Counsel representing the Insurance Company before the learned Tribunal that evidence of the petitioner/ Insurance Company was closed by the learned Tribunal. When the learned Counsel representing the Insurance Company made a statement closing the evidence on behalf of the Insurance Company, there was no occasion for the learned Tribunal to have had passed any other order except as was passed.

4. Therefore, as this Court does not finds any infirmity in the present petition, the same is dismissed. Pending miscellaneous application(s), if any also stand disposed of accordingly.