

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

FAO No. 4896 of 2011 (O&M)

Date of decision: February 15, 2016

Rakesh Kumari

...Appellant

Versus

Raj Kumar and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest?**

Present: Mr. HS Sullar, Advocate,
for the appellant.

Mr. Maninder Singh, Advocate,
for respondent No.1.

Mr. Ishan Gupta, Advocate, for
Ms. Smriti Dhir, Advocate,
for respondent No. 3.

K. KANNAN, J. (Oral)

1. Learned counsel appearing on behalf of the 3rd respondent states that notice be issued to the party since the counsel has no instructions and he has handed over the the brief to the party. I dispense with the notice to the party.

2. A petition for claim for compensation lodged at Chandigarh for an accident that took place in Patiala was resisted on a plea that the Court at Chandigarh did not have the jurisdiction. The jurisdiction issue has been substantially relaxed in the scheme of the Motor Vehicle Act that allows for lodging of a complaint not merely at the place where accident takes place

but also where the claimant(s) reside. The objection was that the claimant did not even prove where she resides. I take the degree of proof as a very light and direct the Motor Accident Claims Tribunal at Chandigarh to proceed with the case and dispose of in accordance with law. The issue of jurisdiction will not be taken again.

3. The order of the Tribunal is set aside and the appeal is allowed and remanded for fresh consideration in accordance with law.

February 15, 2016
prem

(K.KANNAN)
JUDGE