

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA No.532 of 2016 (O&M)
Date of decision: 23.02.2017

National Insurance Company Ltd.

... Applicant

Vs.

Harpreet Kaur and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. R.C. Kapoor, Advocate
for the applicant.

Mr. Sagar Aggarwal, Advocate
for the respondents.

RAMESHWAR SINGH MALIK, J. (ORAL)

Applicant-Insurance Company, by way of present transfer application under Section 24 of the Code of Civil Procedure (for short 'CPC'), seeks transfer of a claim petition bearing MACT No.62 of 2016 titled as Harpreet Kaur and others Vs. Puran Mal and others from Kurukshetra to Ambala.

Notice of motion was issued.

Heard learned counsel for the parties.

It has gone undisputed before this Court that out of the same road accident, two claim petitions have been filed by different claimants, one at Kurukshetra and another at Ambala. Learned counsel for the applicant has been found justified in contending that with a view to avoid contradictory orders by two Motor Accident Claims Tribunals at Kurukshetra and Ambala, it would be in the interest of justice that abovesaid MACT case No.62 of 2016

may be ordered to be transferred from Kurukshetra to Ambala.

Learned counsel for the respondents could not raise any meaningful objection to the prayer made by learned counsel for the applicant and rightly so, it being a matter of record.

In view of the above, instant transfer application deserves to be accepted and the same is hereby allowed.

Accordingly, the learned District Judge, Kurukshetra is directed to send complete record of the claim petition bearing MACT No.62 of 2016 titled as Harpreet Kaur and others Vs. Puran Mal and others to the learned District Judge, Ambala, at an early date but in any case within a period of one month from the date of receipt of certified copy of this order.

The learned District Judge, Ambala is also directed to assign the abovesaid MACT case to the same learned Court of competent jurisdiction to avoid any contradictory orders, for an early decision, in accordance with law.

With the abovesaid observations made and directions issued, present transfer application stands disposed of, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

23.02.2017
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No