

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

T.A. No. 890-2016 (O&M)
Date of decision : 23.2.2018

Cholamandalam MS General Insurance Co. Ltd. Petitioner

Versus

Ravinder Kaur and ors Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Punit Jain, Advocate for the petitioner.

Mr. Gurvinder Arora, Advocate for
Mr. Pranav Handa, Advocate for respondent No.1

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

KULDIP SINGH J. (ORAL)

Respondents No. 2 and 3 have not appeared despite service.

Heard.

This is a petition filed under Section 24 of the Civil Procedure Code, 1908 for transfer of MACT petition No. 14 of 13-03-2015 titled as '***Balkar Singh and another vs. J.P. Shamsher Singh Khaira and ors***' filed under Section 166 of the Motor Vehicles Act, 1988 pending in the Court of Motor Accident Claims Tribunal, Kapurthala to the Court of Motor Accident Claims Tribunal at Jalandhar.

It comes out that one Gurjpal Singh aged about 32 years died in a road side accident. His widow namely Ravinder Kaur has filed a claim petition before the Motor Accident Claims Tribunal, Jalandhar in which parents of the deceased have also been made party. The case is at the stage

of recording the evidence of respondents. However, respondents No. 2 and 3 who are parents of the deceased have also filed a claim petition before Motor Accident Claims Tribunal, Kapurthala which is for recording the evidence of the claimants.

The plea of Insurance Company-petitioner is that since both the cases pertain to the same accident, they should be tried at same place.

Considering the facts and circumstances of the case, the MACT petition No. 14 of 13-03-2015 titled as '***Balkar Singh and another vs. J.P. Shamsher Singh Khaira and ors***' filed under Section 166 of the Motor Vehicles Act, 1988 pending in the Court of Motor Accident Claims Tribunal, Kapurthala is withdrawn from the said Court and transferred to the Court of Motor Accident Claims Tribunal, Jalandhar, where MACT-petition filed by the widow is pending.

As such, the present petition is allowed.

(KULDIP SINGH)
JUDGE

23.2.2018
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Whether speaking / reasoned
Whether Reportable:

Yes
No