

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

TA No.738 of 2018

Date of decision: 05.10.2018

Kavita and others

.. Petitioners

vs.

Anil Kumar and others

.. Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. R.S. Mamli, Advocate
for the petitioners.

Mr. Kulwant Singh Dhanora, Advocate
for respondents No.2 and 3.

Mr. Amit Jaswal, Advocate
for respondent No.3

Harinder Singh Sidhu, J.

The petitioner is a claimant in case MACP No.64 of 2018, titled as "Kavita Vs. Anil Kumar and others" wherein she has claimed compensation on account of death of her husband, namely, Sudesh Kumar. Through this petition, she seeks transfer of the case from the Court of Motor Accidents Claims Tribunal, Kurukshetra to Motor Accident Claims Tribunal, Yamuna Nagar at Jagadhari.

It is stated that the petitioner is living all alone. She has two minor children Manish and Nishu about 7 years and 5 years of age respectively. There is no one in the house to look after them. It is difficult for her to travel to Kurukshetra to consult her counsel and to lead evidence in this case. Kurukshetra Court is about 70 kms. from the house of the petitioner and takes about 3 hours to reach District Court Kurukshetra.

Learned counsel for the Insurance Company states that the petitioner has already engaged a counsel and there is no reason why she cannot appear before the Court at Kurukshetra to tender her evidence.

Eye witness in this case has already been examined and only the claimant remains to be examined.

Mr. Mamli, learned counsel for the petitioner on the other hand states that apart from the claimant, other witnesses are required to be examined to prove the income of the deceased.

Considering the fact that the petitioner is a widow and has two children, the present petition is allowed.

The MACP Case No.64 of 2018, titled as 'Kavita Vs. Anil Kumar and others' pending in the Motor Accident Claims Kurukshetra is withdrawn from that Court and transferred to Motor Accident Claims Tribunal, Yamuna Nagar at Jagadhari.

05.10.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No