

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Order: August 09, 2018

+ **MAC.APP. 389/2018 & CM 15368/2018**

MITHLESH & ANR Appellants
Through: Mr. S.N. Parashar and Ms. Pankaj
Kumari, Advocates

versus

MUKESH KUMAR & ORS (THE ORIENTAL INSURANCE
CO.LTD) Respondents
Through: Mr. S.P. Jain, Mr. Himanshu
Gambhir, Ms. Amandeep Kaur and
Mr. Abhijit Chakravarty,
Advocates

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Impugned order of 28th November, 2017 dismisses appellants' claim petition on the ground of lack of territorial jurisdiction while refusing to rely upon copy of Aadhaar card, which was duly verified by the concerned SHO. On the last date of hearing, records were requisitioned.
2. Learned counsel for appellants submits that Aadhaar Card is a valid proof of identity as well as of residence and the Tribunal has erred in not relying upon it.
3. Upon hearing and on perusal of impugned order of 28th November, 2017 and the record of this case, I find that first appellant's Aadhaar Card

has been duly verified by the concerned SHO. The second appellant is a minor. There is no basis to discard the Aadhaar Card as proof of residence. The Tribunal has erred in returning appellants' claim petition on the ground of lack of territorial jurisdiction.

4. In view of aforesaid, impugned order is hereby set aside with direction to the Tribunal to proceed with appellants' claim petition in accordance with the law. Records be remitted back forthwith. Parties to appear before the concerned Tribunal on 10th September, 2018.

5. With aforesaid directions, this appeal and the application are disposed of.

(SUNIL GAUR)
JUDGE

AUGUST 09, 2018

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