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

+ **MAC.APP. 717/2018**

SHABILA KHATOON & ORSAppellants

Through: **Mr. N.K.Jha, Advocate**

versus

SAJID KHAN & ORS (THE ORIENTAL INSURANCE CO LTD)

.....Respondents

Through: **Mr. Pradeep Gaur, Advocate for
respondent No. 3**

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

06.08.2018

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Impugned order of 5th May, 2018 rejects appellants' claim petition on the ground of lack of territorial jurisdiction. Impugned order notes that in the absence of any residential proof except Aadhaar Card, there is no document to show that the jurisdiction is of Delhi Courts.

Impugned order reveals that the opposite side was not put to notice.

Upon hearing and on perusal of impugned order, I find that appellants' Aadhaar Cards (*Annexure- C colly.*) clearly indicate that their address is of Delhi. Impugned order gives no reason as to why Aadhaar Card has not been accepted as proof of residence. Since appellants claim to be residing in Delhi and their plea is supported by Aadhaar Card, therefore, impugned order is rendered unsustainable and is accordingly set aside. The Tribunal is directed to entertain appellants' claim petition and to proceed further in accordance with law.

With aforesaid directions, this appeal is disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

AUGUST 06, 2018

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