

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(228-A)

CWP No. 30256 of 2018

Date of Decision : 18.02.2020

Jagbir Singh and another

....Petitioners

Versus

Army Group Insurance Fund

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Balraj Singh Rathee, Advocate for the petitioners.

Mr. Akshay Kumar Goel, Advocate for the respondent.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, petitioners are challenging the reply dated 26.09.2018 (Annexure P-8), by which the claim of the petitioners for the payment of disability benefits has been declined.

Learned counsel for the respondents raises preliminary objection with regard to the maintainability of the writ petition before this Court keeping in view Section 34 of the Armed Forces Tribunal Act, 2007. Learned counsel for the respondent argues that according to Section 34 of the Act, all the pending cases, which are pending before the High court or any other competent Court of Law, automatically stand transferred to the Tribunal.

Learned counsel for the petitioners states that he does not have

any objection in case, the present writ petition is also transferred to the Tribunal alongwith the paper book.

Keeping in view the above, writ petition is transferred to the Armed Forces Tribunal, Chandigarh for adjudication of the claim as raised by the petitioners in the present writ.

Parties are directed to appear before the Armed Forces Tribunal, Chandigarh on 27.04.2020.

February 18, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*