

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA-1080-2022 (O&M)
Date of decision: 19.09.2022

Sandeep and another

....Petitioners

Vs.

Deepak and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ketan Antil, Advocate
for the petitioners.

None for respondents No.1 & 2.

Mr. Punit Jain, Advocate
for respondent No.3.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for transfer of MACT Case bearing No.MACP/38/2020 titled as Sandeep and another Vs. Deepak and others, pending before the MACT, Jhajjar to the competent Court of jurisdiction at Sonipat.

Learned counsel for the petitioners has argued that the petitioners, who are injured claimants, filed the claim petition under a wrong advice that claim petition is to be filed at Jhajjar, where the accident

took place, though they are residents of District Sonipat and could have filed the petition before MACT, Sonipat. It is further submitted that the petitioners are very poor person and it is very difficult for them to travel to Jhajjar for pursuing the claim petition.

Despite service, no one has put in appearance on behalf of respondents No.1 & 2.

Learned counsel for respondent No.3-Insurance Company has, however, submitted that jurisdiction is concurrent either at Jhajjar or Sonipat, therefore, the case be not transferred from Jhajjar to Sonipat.

After hearing the counsel for the parties, considering the aforesaid facts and financial status of the petitioners and also in view of the fact that they are injured persons and have to travel long distance to pursue the claim petition at Jhajjar, this Court deem it appropriate to allow the present petition, subject to the following conditions:-

- 1. The MACT Case bearing No.MACP/38/2020 titled as Sandeep and another Vs. Deepak and others, pending before the MACT, Jhajjar will be transferred to the competent Court of jurisdiction at Sonipat.*
- 2. The District Judge, Sonipat will assign the said claim petition to the competent Court of jurisdiction.*
- 3. The MACT, Jhajjar is directed to transfer all the record pertaining to the aforesaid case to District Judge, Sonipat.*
- 4. The parties are directed to appear before the MACT, Sonipat*

within a period of 01 month from today.

Present petition is disposed of accordingly.

[ARVIND SINGH SANGWAN]
JUDGE

19.09.2022

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Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No