



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

FAO-4716-2005(O&M)
Date of decision: 15.10.2024

BIMLA DEVI
Vs.
JASBIR SINGH @ JAIBIR SINGH & ORS

...APPELLANT
...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Varun Parkash, Advocate for
Mr. Amit Jain, Advocate
for the appellant.

Mr. Ajay Ghanghas, Advocate
for respondent Nos. 1 and 2 (through V.C.).

Mr. Ajay Poonia, Advocate
for respondent Nos. 4 and 5.

JAGMOHAN BANSAL, J (ORAL)

1. Mr. Ajay Poonia, Advocate has put in appearance on behalf of respondent Nos. 4 and 5 and filed Memo of Appearance, which is taken on record. He undertakes to file Power of Attorney in the Registry.
2. The appellant through instant petition is seeking setting aside of Award dated 07.06.2005 whereby the Motor Accidents Claims Tribunal, Hisar has dismissed claim of the appellant on the ground of jurisdiction.
3. Counsel for the parties submit that they have no instruction from their clients.
4. From the perusal of impugned Award, it comes out that claim petition has been dismissed on the sole ground that no cause of action arose within the jurisdiction of Tribunal at Hisar whereas cause of action arose within



the jurisdiction of Tribunal at Bhiwani. There is nothing on record and none of the counsel is able to point out that Tribunal at Hisar was having jurisdiction.

5. In the absence of jurisdiction, the Tribunal at Hisar could not have adjudicated the claim. There is no ground to interfere with the impugned Award, however, the parties may, if so advised, approach Court of Competent Jurisdiction.

6. Disposed of accordingly.

7. Pending miscellaneous application(s), if any, shall also stand disposed of.

15.10.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No