



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.122

TA-1380-2024

Date of Decision: 28.10.2024

BALJEET SINGH

....Applicant

Versus

HUKMARAM AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Ravinder Phogat, Advocate
for the applicant.

ARCHANA PURI, J. (Oral)

The applicant-Baljeet Singh, has filed the present application, for seeking transfer of the suit for damages under the Fatal Accident Claim Act i.e. CS-800-2016, titled '*Hukmaram and another Vs. Deputy Commissioner and others*', pending in the Court of learned Additional Civil Judge (Senior Division), Mohindergarh and she seeks transfer of the same to the Court of competent jurisdiction at Charkhi Dadri.

It is submitted by the counsel for the applicant that respondent No.1-Hukmaram, had filed the claim petition, under Fatal Accident Claim Act, copy whereof is Annexure P-1, wherein, the present applicant has also been impleaded as respondent No.6. Further, it is submitted that the said petition is now pending for evidence of the respondents and therefore, on account of medical ailment, the applicant has expressed his inability to contest the same at Mohindergarh.

From the contents of the application, it is evident that the applicant-Baljeet Singh, is a practising Advocate and doing private practice



in the District Court at Charkhi Dadri and he seeks transfer of the suit to Charkhi Dadri.

No doubt, during the course of making submissions, the counsel for the respondent has made reference to the medical certificate (Annexure P-4), wherein, it is stated that the applicant is having travelling sickness. His age mentioned in the medical certificate, is 57 years. The distance between the two stations is only about 45 kilometres.

Considering the aforesaid fact situation, no case is made out for transfer of the suit filed under the Fatal Accident Claim Act. But anyhow, looking at the stage of the case, the applicant has an option to make a request before the Court concerned to consider the examination of the applicant, by way of video conferencing.

In view of the aforesaid terms, the application is hereby dismissed.

28.10.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No