



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.106

TA-1125-2024

Date of Decision: 14.11.2025

SBI GENERAL INSURANCE COMPANY LIMITED

....Applicant

Versus

PAMMI KAUR AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sanjeev Kodan, Advocate
for the applicant-Insurance Company.

Respondents No.1 and 2 proceeded against *ex parte*
vide order dated 07.04.2025.

Mr. G.S. Dhillon and Mr. Dushyant Saharan, Advocates
for respondents No.3 and 4.

Mr. Arjun Sharma, Advocate
for respondents No.5 and 6.

ARCHANA PURI, J. (Oral)

The applicant-Insurance Company has filed the present application for seeking transfer of the claim petition i.e. MACP/51/2022, titled '*Pammi Kaur and another Vs. Pardeep Khoth and others*', pending before learned Motor Accident Claims Tribunal, Sri Muktsar Sahib and the applicant seeks transfer of the same to the Court of competent jurisdiction at Fazilka.

In pursuance of notice issued, respondents No.1 and 2 did not make appearance and as such, were proceeded against *ex parte*.

However, respondents No.3 and 4, as well as respondents No.5



and 6 have made appearance through counsel. However, both the counsel have made a statement that they do not intend to file reply and also do not contest the application.

Counsel for the parties heard.

As culled out from the paperbook, the facts germane to be noticed are that on 11.08.2022, a motor vehicular accident had taken place, within the jurisdiction of Fazilka and the same resulted into the death of Gurdas Singh. After the death of Gurdas Singh in the said accident, his widow, namely, Pammi Kaur and his daughter, Khushpreet Kaur, had filed the claim petition i.e. MACP/51/2022, titled '*Pammi Kaur and another Vs. Pardeep Khoth and others*', before learned Motor Accident Claims Tribunal, Sri Muktsar Sahib. Therein, the parents of the deceased were also made party, as proforma respondents. Subsequently, the mother of the deceased, namely, Gurmeet Kaur, had also filed a claim petition i.e. MACP/56/2022, titled '*Gurmeet Kaur Vs. Ms. Gayatri Godara and others*', which is pending before learned Motor Accident Claims Tribunal, Fazilka.

In this background, it is submitted by the counsel for the applicant that since both the claim petitions have arisen out of the same accident, though different set of claimants have sought compensation, it is appropriate if the claim petition, pending at the instance of the widow and the daughter, is transferred to Fazilka, where the claim petition filed by the mother of the deceased is already pending and the same has reached the ripe stage.

In view of the submissions aforesaid, it is pertinent to mention that the copy of the claim petitions have been brought on record as Annexures A-1 and A-3. Perusal of the same reveals that all the contesting



claimants have been made party in both the claim petitions. In the given circumstance, there does not arise any question of seeking transfer of the case, as one case is at initial stage and the other one is at ripe stage. In any case, if the applicant-Insurance Company has an apprehension about contradictory decision coming forth, in both the claim petitions, then it always has an option to invoke the jurisdiction of Section 10 CPC and seek stay of the proceedings of the latter case.

In view of the aforesaid fact situation, there is no good ground to accept the application.

Hence, the transfer application is hereby dismissed.

14.11.2025
Himanshu Vats

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No