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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 304/2023 & CM APPL. 9220/2023**

NEW INDIA ASSURANCE CO. LTDPetitioner
Through: Mr. Sahil Paul, Adv.
(through VC)

versus

SANJAY KUMAR SHARMA & ORS.Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **10.02.2025**

1. The petitioner challenges the order dated 18.01.2023 passed by the learned Presiding Officer, Motor Accident Claims Tribunal, Tis Hazari, Delhi, whereby the application filed by the petitioner/ Insurance Company for dismissal of the claim petition, was dismissed.
2. The application was filed on the ground that the alleged accident happened outside the territorial jurisdiction of Delhi.
3. The petitioner had also objected to one claim petition being filed by the two victims who were travelling in the car which met with an accident.
4. The claimant also claimed compensation for damage of the car in the same claim petition which was also objected by the petitioner stating that the same is a separate cause of action and cannot be clubbed in one single petition.
5. On being asked, the learned counsel for the petitioner submits that the compensation has been claimed from the petitioner being the insurer of the car bearing no. DL 1C AC



1334 which was being driven by the claimants.

6. The claim was filed by Respondent Nos. 1 and 2 claiming to be travelling together. Concededly, the claimant No. 1 is a resident of Delhi and the car which met with an accident and in which the claimants were travelling, is also registered in Delhi.

7. In the opinion of this Court, the Tribunal in Delhi will have territorial jurisdiction to entertain the present petition.

8. In regard to clubbing of the claim, the petitioner has not been able to point out any prejudice on the claims being heard together.

9. No provision has been pointed out under the Motor Vehicles Act, 1988 which prohibits clubbing of cause of actions.

10. In view of the above, I find no merit in the present petition. The petition is, therefore, dismissed.

AMIT MAHAJAN, J

FEBRUARY 10, 2025

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