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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 7/2025, CM APPL. 307/2025 & CM APPL. 308/2025**

SH BRAJESH GIRI

.....Appellant

Through: Mr. S.N. Parashar, Adv.

versus

SH PRADEEP KUMAR CHAUDHARY
& ORS.

.....Respondents

Through:

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
20.02.2025

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1. The present petition is filed challenging the order dated 27.04.2024 (hereafter '**the impugned order**') passed by the learned Additional Sessions Judge, Rohini Courts, Delhi in MACT No. 293/2024.
2. By the impugned order, the claim petition filed by the petitioner was dismissed on the ground that the Tribunal in Delhi does not have jurisdiction to deal with the claim.
3. The learned Tribunal noted that the petitioner and the respondents are residents of UP and the Insurance policy was also issued in UP.
4. The impugned order was passed *ex parte* in the absence of the petitioner or his counsel. The same is noted in the impugned order itself.
5. The learned counsel for the petitioner has taken this Court to the FIR registered pursuant to the accident which notes the address of the victim to be of Delhi.
6. In the claim petition filed before the learned Tribunal also,



the claimant has mentioned his address to be of Khichripur, New Delhi, the said aspect has not been looked into by the Trial Court.

7. In view of the above, the impugned order is set aside and the matter is remanded back to the learned Tribunal for considering afresh.

8. The matter be listed before the concerned Tribunal on 05.03.2025.

9. A copy of this order be sent to the learned Principal District and Sessions Judge, Rohini Courts, Delhi for compliance.

AMIT MAHAJAN, J

FEBRUARY 20, 2025

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