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

**CR-5549-2023 (O&M)
Date of Decision: 13.08.2025**

Nirmala Devi and ors.

.....Petitioners

VERSUS

Satbir Singh and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr.Gopal Sharma, Advocate
for the petitioners

None for respondents No.1 and 2.

Mr. Sanjeev Kodan, Advocate
for respondent No.3.

HARKESH MANUJA, J. (ORAL)

By way of present revision petition, challenge has been laid to an order dated 03.08.2023 passed by Learned Motor Accident Claims Tribunal, Rewari, whereby the claim petition filed at the instance of the petitioners being dependents of deceased Pawan, who lost his life in road accident on 27.03.2021 has been returned for want of territorial jurisdiction to be submitted before the Court of competent jurisdiction.

2. I have heard learned counsel of parties and gone through the paper book.



3. A perusal of the memo of parties of the claim petition clearly reflects that the address of the petitioners-dependents as mentioned at the time of filing of the claim petition was of District Rewari and thus there was no purpose to return the claim petition in terms of Order 7 Rule 10 CPC for presenting the same before the Court of competent territorial jurisdiction.

4. Once the dependents/ petitioners have already mentioned their residence of Rewari, it was within the jurisdiction of the Motor Accident Claims Tribunal, Rewari to adjudicate upon the claim petition preferred at the instance of claimants/ petitioners on merits rather than returning the same by adopting overly technical approach.

5. At this stage, it may also be noticed here that the impugned order has been passed after the conclusion of evidence by both the parties and the matter was pending for final hearing/ adjudication.

6. Considering the fact that Section 166 of the Motor Vehicles Act, 1988 is a benevolent legislation, more pragmatic approach was required to be adopted by the learned Motor Accident Claims Tribunal, Rewari. In such circumstances, the impugned order dated 03.08.2023 is hereby set aside and the claim petition filed by the dependents/ petitioners is ordered to be restored to its original number before learned MACT, Rewari, and the same be decided on merits within 02 months w.e.f. 20.08.2025.

7. Disposed of in the above terms.

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

13.08.2025
sanjay

**(HARKESH MANUJA)
JUDGE**

Whether speaking/reasoned ?	Yes/No
Whether Reportable ?	Yes/No