

Misc.DJ:1231/23
Mansharam v. Braj Mohan

13.03.2026

Present: Sh. Shekhar Aggarwal, Ld. Counsel for petitioner.
Sh. Shail Kaushal, Ld. Counsel for R-1&R-2 (through VC)
R-2 is UPSRTC.

An application was moved by the respondents seeking dismissal of the petition on the ground of want of territorial jurisdiction. It is argued that the accident has occurred in the vicinity of Sec-135, NOIDA PS Meerut Expressway i.e. beyond the territorial jurisdiction of this Tribunal. It is further submitted that the offending vehicle was a bus of UPSRTC which was uninsured. As such, Respondents have sought dismissal on the ground of jurisdiction.

On the other hand, Ld. Counsel for petitioner submits that the petitioner is a resident of Badarpur Extension i.e. within the territorial jurisdiction of this Tribunal.

As per Section 166 MV Act, a claim petition is maintainable even at the place where the petitioner resides. Since petitioner is shown to be residing within the territorial jurisdiction of this Tribunal, **application is dismissed** as not maintainable.

Parties wish to settle the matter amicably.

Parties are referred to Mediation Cell for exploring the settlement on **20.03.2026 at 2 pm**.

In the meantime, to avoid further delay on account of settlement, following issues are being framed on the basis of pleadings on record.

1. Whether the deceased suffered fatal injury in a road traffic accident on 12.04.2023 due to rash and negligent driving of vehicle no.UP-75AT-2213 being driven by R1 and

owned by R2 ? OPP

2. Whether the petitioners are entitled to any compensation, if so, to what extent and from whom ? OPP.

3. Relief.

No other issue arises or is pressed.

In case, mediation fails, parties to appear for PE on
21.08.2026.

(Charu Gupta)
PO-MACT -01 (South-East)
Saket Court/ New Delhi/13.03.2026