

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 6601/2026

1. Teju Kanwar W/o Late Deepak Singh, Aged About 35 Years, Resident Of Bhaansar @ Bhandsar, Tehsil Chhatargarh, District Bikaner.
2. Kumari Usha Kanwar D/o Late Deepak Singh, Aged About 15 Years, Minor Hence Are Represented By Their Legal Guardian-Mother Petitioner No. 1, Resident Of Bhaansar @ Bhandsar, Tehsil Chhatargarh, District Bikaner.
3. Bhupendra Singh S/o Late Deepak Singh, Aged About 17 Years, Minor Hence Are Represented By Their Legal Guardian-Mother Petitioner No. 1, Resident Of Bhaansar @ Bhandsar, Tehsil Chhatargarh, District Bikaner.
4. Smt. Hawa Kanwar W/o Nepal Singh, Aged About 58 Years, Resident Of Bhaansar @ Bhandsar, Tehsil Chhatargarh, District Bikaner.
5. Nepal Singh S/o Kushal Singh, Aged About 62 Years, Minor Hence Are Represented By Their Legal Guardian-Mother Petitioner No. 1, Resident Of Bhaansar @ Bhandsar, Tehsil Chhatargarh, District Bikaner.

----Petitioners

Versus

1. Sahab Ram S/o Baaluram, Resident Of 75 1Gdm, Govindsar, Tehsil Suratgarh, District Sri Ganganagar.
2. National Insurance Company Limited, Registered And Main Office - 3, Middleton Street, Post Box No. 9229, Kolkata 700071, Through Divisional Manager, Divisional Office, Panchshati Circle, Sardul Ganj, Bikaner.
3. Pramod Kumar S/o Banwari Lal, Resident Of Motasar, Tehsil Vijay Nagar, District Sri Ganganagar.

----Respondents

For Petitioner(s)	:	Mr. Aman Bishnoi Bola Ms. Jyoti Bishnoi
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

25/03/2026

1. The main grievance of the writ petition is that the petitioner filed a claim under the Motor Vehicles Act before the Motor Accident Claim Tribunal, Bikaner. The petitioner hails from Chhatargarh, District Bikaner. The place of accident also falls within the jurisdiction of Chhatargarh area. On the basis of the proceedings dated 09.12.2024 (Annexure-4), the Chairman, Motor Accident Claim Tribunal/District and Sessions Judge, Bikaner mistook the claim area to be falling under Khajuwala and wrongly transferred the case to Khajuwala though the Court in Bikaner which holds jurisdiction to try the case.
2. Prima facie, by seeing the material available on record, the place of accident and the place of residence of the petitioner are falling within the jurisdiction of District Bikaner.
3. In the said circumstances, the writ petition is disposed of at admission stage. The Additional District and Sessions Judge, Khajuwala shall consider whether the place of accident and the place of residence of the petitioner falls within the Bikaner area, and if so, he shall take steps to re-transfer the case to the President/Chairman, Motor Accident Claims Tribunal, Bikaner. The said exercise shall be done within a period of two months from the date of receipt of this order.
4. All pending applications, if any, also stand disposed of.

(KULDEEP MATHUR),J