

HIGH COURT OF SIKKIM
GANGTOK

No. 4/HCS/Juel

Date: 5/4/23

N-O-T-I-F-I-C-A-T-I-O-N

Pursuant to the judgment dated 15.12.2022 passed by Hon'ble Supreme Court of India in the case of **Gohar Mohammed, Appellant v. Uttar Pradesh State Road Transport Corporation & Others, Respondents**, Civil Appeal No.9322/2022 (arising out of Special Leave Petition (C) No.32448 of 2018), it is hereby notified that on initiation of the proceedings under Section 149 of the Motor Vehicles Act, 1988 registering a Miscellaneous Application by the Claims Tribunal, in whose jurisdiction the accident occurred would continue until the proceedings under Section 166 has been filed by the claimant(s) separately. In the event of filing a separate application and on receiving the information in this regard either from the claimant(s), or investigating officer or insurance company, the proceedings under Section 149 shall be deemed as closed and be tagged with the proceedings of Sections 164/166 filed by the claimant(s). In case the claimant(s)/legal representative(s) have filed different applications under Section 166 before different Claim Tribunals at different places outside the territorial jurisdiction of one High Court, in the said contingency the Claims Tribunal, where the first claim petition is filed shall have jurisdiction to adjudicate and decide the same and other claim petition(s) filed by the claimant(s)/legal representative(s) in the territorial limits of other High Courts shall stand transferred to the Claims Tribunal where the first claim petition was filed and the proceedings under Section 149 shall be tagged with the said file. The parties are not required to file any transfer petition before the Hon'ble Supreme Court seeking order of transfer in such individual cases pending in the jurisdiction of different High Courts.

This Notification shall come into force with immediate effect.

By Order,

sd/-
(Prajwal Khatiwada)
REGISTRAR GENERAL

Memo No. 137-144/HCS

Date: 05/04/2023

Copy to :-

01. The Secretary General, Supreme Court of India, New Delhi.
02. The Additional Registrar-cum PPS to Hon'ble the Chief Justice, High Court of Sikkim, Gangtok.
03. The Additional Registrar-cum-PS to Hon'ble Judge, High Court of Sikkim, Gangtok.
04. The Deputy Registrar-cum-PS to Hon'ble Judge, High Court of Sikkim, Gangtok.
05. All Motor Accidents Claims Tribunals in the State of Sikkim.
06. Director General of Police, Sikkim Police Headquarters, Gangtok.
07. All Police Stations
08. All Section-In-Charge, High Court of Sikkim, Gangtok.
09. File
10. Guard File


5/4/2023
REGISTRAR (JUDICIAL SERVICE)