

Uber rape survivor files lawsuit in US court against company

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BENGALURU|NEW DELHI: The woman allegedly raped by a driver of an Uber network taxi in Delhi in December has filed a lawsuit in a California court after failing to agree on a suitable compensation amount from the San Francisco-based startup.

The lawsuit filed on January 29 in the Northern District Court of California seeks monetary damages with the amount to be determined at the trial. The victim also sought permanent injunction against Uber's practices which may prevent such occurrences in future.

"Uber's focus on its bottom line over the safety of its passengers has resulted in what can only be described as modern day electronic hitchhiking," Douglas H Wigdor, partner at Wigdor LLC, the New York law firm representing the victim, said in an e-mail.

"This lawsuit seeks to slam the brakes on Uber's worldwide expansion at the unfortunate expense of customer safety." The complaint accuses Uber of negligent hiring, supervision and retention of drivers and claims the company is liable for the actions of the accused driver, Shiv Kumar Yadav.

People privy to the details told ET that the victim, based in Delhi, had claimed Rs 100 crore as compensation from Uber in India.

The taxi-hailing app company was unwilling to accede, leading to the lawsuit in the US. Some lawyers in India say the jurisdiction of the US court may have to be established first. "Uber will argue that since the crime occurred in India, Indian courts have the right jurisdiction," said Vaibhav Parikh, partner at law firm Nishith Desai Associates.

"The case may be settled out of court." Separately, at the Tis Hazari Court in New Delhi on Friday, a senior Uber executive testified that upon registration of an FIR against the company following the incident, Uber employees immediately started cooperating with the police.

"It is pertinent to note that police had arrived (at Uber office) with incorrect name of the driver which was duly pointed out and correct details were provided to police by Uber," testified Uber's Asia Head Eric Alexander. The court was hearing the case against the alleged rapist.

