

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL MISCELLANEOUS APPEAL No.2426 of 2004

JUDGMENT:

No representation for the appellant. In the order dated 17.04.2015, this Court observed thus:

"As the appeal filed by the Insurer against respondents including claimants 1 to 5 as respondents 1 to 5 dismissed for default equally against respondents 7 to 9, the very appeal itself is not maintainable to impugn the quantum against the claimants, thereby for no representation, post the matter under the caption 'For Dismissal', next week."

Somehow, the Registry has not listed the matter under the said caption. Even otherwise, there is no representation for the appellant today. On the other hand, the learned counsel for the 6th respondent- National Insurance Company Limited has represented that the Tribunal exonerated the 6th respondent from liability to pay the compensation.

Since there is no representation at all for the appellant, the instant civil miscellaneous appeal is dismissed for non-prosecution, though, it is not listed under the caption 'for dismissal'. There shall be no order as to costs.

As a sequel thereto, miscellaneous applications, if any pending in the instant appeal, stand disposed of.

A. SHANKAR NARAYANA, J

19th June, 2015

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