

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No.961 of 1993(O&M)
Date of Decision: 31.03.2016

PREM WATI AND ANR

....Appellants

Versus

AFGHAN BUS SERVICE(REGD.) AND ORS

....Respondents

CORAM:HON'BLE MRS. JUSTICE SNEH PRASHAR

Present: Mr. S.K. Singla, Advocate
for the appellants.

Mr. Lalit Garg, Advocate
for respondent No.3.

SNEH PRASHAR, J.(Oral)

Perusal of the record shows that on 03.11.2014 respondent No.2 was ordered to be served through publication in daily newspaper 'Chardikala' Patiala on his last known address. Subsequent to that numerous opportunities have been availed by the appellants to get the publication effected but no step has been taken to get the same done. Vide order dated 23.04.2015, last and final opportunity was given for the said purpose but even thereafter one more opportunity was allowed. Yet, the orders have not been complied with. It is apparent that the appellant is taking no interest in prosecuting the appeal and there is no ground for adjourning the appeal again for the same purpose.

The claim petition of the appellant was dismissed by learned Tribunal. When the appeal is not being prosecuted against respondent No.2, the insured, the appeal cannot proceed against the insurer-respondent No.3 also.

Accordingly, the appeal is dismissed for want of prosecution.

March 31, 2016
rashmi

[SNEH PRASHAR]
JUDGE