

**328/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-1264-2000

Date of decision: 25th February, 2016

New India Assurance Company Ltd.

...Appellant

Versus

Phool Parkash and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Ashwani Talwar, Advocate
for the appellant.

LISA GILL, J.(ORAL)

On the asking of the appellant, service upon respondents No.1, 4 to 8 was dispensed with on 16.09.2015 as it was stated by learned counsel for the appellant that there is no dispute regarding quantum of the compensation.

Learned counsel for the appellant had sought time on 16th September, 2015 to take necessary steps for service of respondent No.3 who was reported to have gone abroad and to bring on record legal representatives of respondent No.2 who has since passed away. Fresh notice issued to respondent No.3 has also been received back with the report that he has gone abroad.

Learned counsel for the appellant submits that despite best efforts, legal representatives of respondent No.2 could not be traced and neither is it possible to serve respondent No.3 as his present address is not known. Left with no other alternative, this appeal is dismissed for non-prosecution with liberty to the appellant to seek revival of this appeal within three months in case the appellant is able to trace the legal heirs of respondent No.2 as well as the present/latest address of respondent No.3.

25th February, 2016

m. sharma

**(LISA GILL)
JUDGE**