

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

**CM No. 1260-CII of 2016 in/and
FAO No. 2793 of 2011
Date of Decision : 03.02.2016**

Kashmir Kaur and anotherAppellants

Versus

Major Singh Gill and another ...Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ishan Cooner, Advocate
for Mr. J.S. Cooner, Advocate
for the appellants.

Mr. N.G. Sharma, Advocate
for respondent no. 1.

Surinder Gupta, J. (Oral)

CM No. 1260-CII of 2016

This is an application under Section 151 of the Code of Civil Procedure (CPC) to dispose of the main appeal which was admitted vide order dated 10.07.2013, as having been rendered infructuous.

Heard.

Learned counsel for the applicant-appellants submits that this appeal was filed against the award passed by Motor Accident Claims Tribunal, Amritsar on 17.09.2010. On the application of driver seeking setting aside of *ex parte* award, the Tribunal vide order dated 10.07.2015 has set aside the award dated 17.09.2010 and dismissed the claim petition vide order dated 13.11.2015.

For the reasons stated in the application and in view of submissions of learned counsel for the applicants-appellants,

the application is allowed and FAO No. 2793 of 2011 is taken up on board for hearing today itself.

FAO No. 2793 of 2011

In view of submissions of learned counsel for the appellants, the instant appeal is dismissed as having become infructuous.

February 03, 2016
jk

(SURINDER GUPTA)
JUDGE