

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

C.M.A.No.42 of 2004

JUDGMENT

Today, when the matter is called, there is no representation on behalf of the appellant-Insurance Company as was the case on 18.11.2016, 2.12.2016 and 13.12.2016. The record shows that on 06.11.2003, the appeal against the second respondent, who is the owner of crime vehicle, was dismissed for default. Similarly, the appeal against the first respondent/claimant in O.P., was also dismissed for default vide order dated 13.04.2016.

In view of the above, the Civil Miscellaneous Appeal is dismissed for non-prosecution. No order as to costs. Miscellaneous petitions, if any, pending in this appeal, shall stand dismissed.

17th January, 2017
sj

M.S.K.JAISWAL,J

