

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

Civil Miscellaneous Appeal No.1998 OF 2002

ORAL ORDER:

On behalf of Sri J. Kanakaiah, learned counsel for the appellant, Sri J. Narender, learned counsel, would submit that the learned counsel, Sri J. Kanakaiah, is not the present Standing Counsel for the appellant – The Oriental Insurance Company Limited.

When the appellant – Insurance Company carries the matter to this Court, it is the bounden duty of the Insurer to appoint one of the Standing Counsel in the panel whenever the standing counsel at the time of filing the appeal is not continued.

The present CMA relates to the year 2002 challenging the order passed in a claim petition of 1992 i.e., O.P. No.242 of 1992. The impugned award was passed for a sum of Rs.26,600/-

When the insurer is not interested, no further adjournment need be given despite listing the matter under the caption ‘for dismissal’.

Therefore, the present Civil Miscellaneous Appeal is dismissed for non-prosecution. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Civil Miscellaneous Appeal shall stand closed.

A. SHANKAR NARAYANA, J

Dt. 04.09.2017

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