

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No.628 of 1994 (O&M)
Date of decision:16.10.2018.

Krishan Kumar

...Appellant

Versus

Ram Devi and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: None for the appellant.

Mr. R.C. Kapoor, Advocate for respondent No.6/National
Insurance Company Ltd.

Mr. R.C. Gupta, Advocate for respondent No.8/Oriental
Insurance Company Ltd.

LISA GILL, J.

Learned counsel for respondent No.6 submits that connected
FAO No.688 of 1994 filed by the present appellant Krishan Kumar (driver of
the four-wheeler) stands dismissed in default for non-prosecution by this
Court, vide order dated 04.07.2012, which reads as under: -

“1. The counsel who was already appearing for the appellant
has died. Mr. Simranjit, Advocate appearing before the Court
says that he had tried to make contact with the party but he
could not have established the contact and, therefore, he has no
instruction.

2. The appeal is dismissed in default for non-prosecution of
the appellant.”

The counsel, who had filed this appeal, has since passed away.
It is submitted that Mr. Bahadur Singh, Advocate had appeared for the
appellant after passing away of the counsel in the present appeal. Thereafter,
there has been no representation on behalf of the appellant despite notice to
Mr. Suraj Parkash Gupta and Mr. Simranjeet Singh.

It is brought to my notice that claimant's appeal i.e. FAO No.1473 of 1994 was dismissed as withdrawn on 11.02.2015. It appears that the appellant is not interested in pursuing the matter any longer.

The appeal is accordingly dismissed in default.

Copy of this order be conveyed to the appellant at the address available in the memo of parties. In case of any grievance, the appellant is at liberty to move an appropriate application within two months of the receipt of this order.

(LISA GILL)
JUDGE

October 16, 2018
Ishwar

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No