

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-1389-2001 (O&M)

Date of Decision:- 16.10.2018

National Insurance Co. Ltd.

... Appellant

Versus

Chinto Devi and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present:- Mr. Deepak Suri, Advocate for the appellant.

AJAY TEWARI, J. (Oral)

On 28.08.2018, the following order was passed:

“As per office report, notice issued to respondent No.3 has not been served and the report is that he is not residing at the given place. Notice issued to respondent No.4 has been served through the wife but he is just the driver and therefore, has no privity of contract with the appellant/petitioner.

Counsel states that now the dispute of the Insurance Company-appellant-petitioner is only with the owner-Waryam Singh and seeks last opportunity to enable him to furnish the fresh address of respondent No.3.

Allowed as prayed for. Consequently, last opportunity of three weeks' is granted to the appellant-petitioner to do the needful. In case fresh address is submitted let respondent No.3 be served for 04.12.2018. In case no address is submitted the appeal/revision be listed for hearing on 20.09.2018.

A photocopy of this order be placed on the file of other connected case.”

On 20.09.2018, the following order was passed:

“Counsel for the appellant/petitioner prays for one more opportunity to furnish the correct address of respondent No.3.

On request, last opportunity of three weeks is granted.

Adjourned to 15.10.2018.

A photocopy of this order be placed on file of connected case.”

Today, learned counsel states that despite his best effort and that of the appellant, correct address of respondent No.3 could not be ascertained.

Dismissed for non-prosecution.

October 16, 2018

jt

**(AJAY TEWARI)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No