

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No. 759 of 2009 (O&M)

Date of decision: 21.02.2018

Manjit Singh

..Appellant

Vs.

M/s Vishwa Mitter Nayyar and Sons and Another

..Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Tarun Sharma, Advocate
for Mr. R.S. Bajaj, Advocate
for the appellant.

None for the respondents.

HARI PAL VERMA, J.(ORAL)

Counsel for the appellant has produced a photocopy of the order dated 19.01.2016 passed by Motor Accident Claims Tribunal, Pathankot which reads as under:-

“At this stage, the petitioner and his counsel made joint statement that they have received ₹ 70,000/- from JD No. 1 Manjeet Singh in discharge of his liability towards decree holder. They further stated that the correct particulars of legal representatives of deceased JD No. 2 could not be ascertained and thus, they withdraw the present execution petition being partly satisfied. In view of the statement, the execution petitioner is dismissed as withdrawn.

Records be consigned”.

Counsel for the petitioner states that since the compromise has been effected between the parties and execution petition filed by the appellant has been dismissed as withdrawn, the present appeal has been rendered infurctuous.

Since nobody is present on behalf of the respondents and appeal has been filed by Manjit Singh who is driver of the offending

vehicle, the present appeal is accordingly disposed of as having rendered infructuous.

However, in case the respondents have any objection, they are at liberty to seek revival of the present appeal.

(HARI PAL VERMA)
JUDGE

February 21, 2018
Poonam (II)

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>