

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

266

FAO No.150 of 2011 (O&M)

Date of Decision : 02.08.2018

Mohd. Kalamudeen and another

..... Appellants

Versus

Lalit Yadav and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: None for the appellants.

Mr. Neeraj Khanna, Advocate
for respondent No.3-Insurance Company.

AJAY TEWARI, J. (Oral)

On 23.01.2018 the following order was passed :-

“Learned counsel for appellants submits that he has been engaged by appellant just now and seeks adjournment to comply with order dated 21.04.2015 vide which respondents no. 1 and 2 were ordered to be served through publication in newspaper 'Hindustan Times'. A period of three years has lapsed after passing of order dated 21.04.2015 and no step has been taken by appellants to comply with said order. Still keeping in view the request of learned counsel for appellants, one more opportunity is allowed to appellants subject to deposit of costs of ₹2500/- with Mediation and Conciliation Centre of this Court within a period of four weeks.

After deposit of costs, process for service of respondents no. 1 and 2 through publication in newspaper 'Hindustan Times' be issued for 18.05.2018.”

Thereafter on 18.05.2018 the following order was passed :-

“Learned counsel for the appellants prays for more time to comply with the previous order dated 23.01.2018.

Adjourned to 29.05.2018.

Last opportunity is granted to do the needful.

To be shown in the urgent list.”

Neither costs have been deposited nor publication has been made. This is an appeal for enhancement in a case where recovery rights have been granted to the insurance company and therefore, the service of the owner and driver would be necessary. In their absence the appeal can not proceed.

Dismissed for non-prosecution.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

02.08.2018
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No