

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

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FAO 2797 of 2015 (O&M)
Date of decision: 18.07.2018

Reliance General Insurance Co Limited *Appellant*
Versus
Rajinder Kaur and others *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Subhash Goyal, Advocate
for the appellant

Mr. Sunil Agnihotri, Advocate with
Ms Nimarta Kaur, Advocate
for respondent No. 3

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Rekha Mittal, J. (Oral)

The present appeal directs challenge against award dated 12.12.2014 passed by the Motor Accidents Claims Tribunal, Ludhiana (hereinafter to be referred as 'the Tribunal') whereby compensation has been awarded on account of death of Harjit Singh in a motor vehicular accident that took place on 14.05.2010.

Counsel for the insurance company would apprise the Court that on April 28, 2015, notice of motion was issued only qua whether grant of interest from the date of accident as against the date of filing of the petition is in contravention of Section 171 of the Motor Vehicles Act, 1988.

Respondents No. 1 and 2, claimants in the case, were required to be heard with regard to payment of interest from the date of accident.

Notice to respondents No. 1 and 2 could not be issued as the

insurance company failed to furnish their latest/correct address. On 23.09.2016, order passed by this Court reads as follows:-

“Correct addresses of respondents no. 1 and 2 have not been filed despite lapse of one year.

Learned counsel for the appellant seeks four weeks time to file correct addresses of respondents no. 1 and 2.

In the event of correct addresses of respondents no. 1 and 2 being not filed within four weeks from today, the appeal shall be deemed as dismissed against them without being listed. In the event of their correct addresses being filed, notices to them be issued for 23.02.2017.”

The insurance company not only failed to comply with that order within the stipulated period of four weeks but even failed to comply with that order till date, despite expiry of approximately two years since then. Under the circumstances, appeal against respondents No. 1 and 2 stands dismissed. As such, nothing survives for consideration of this Court.

Disposed of accordingly.

(Rekha Mittal)
Judge

18.07.2018
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No