

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

-.-

FAO 4824 of 2015 (O&M)

Date of decision: 10.08.2018

Pushpa Devi and others

..... Appellants

Versus

Nand Kishore and others

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Dhanender Sharma, Advocate for
 Mr. Vivek Suri, Advocate
 for the appellants

 Mr. M S Rana, Advocate
 for respondents No. 1 and 3

 Mr. Punit Jain, Advocate
 for respondent No. 4

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Rekha Mittal, J. (Oral)

Notice to respondent No. 2 could not be issued as counsel for the appellants did not comply with order dated 14.12.2016. On 26.02.2018, the order passed by this Court reads as follows:-

“Notice could not be issued to respondent No. 2 as counsel for the appellants did not comply with order dated 03.11.2017.

Last opportunity is provided for the purpose, failing which appeal against respondent No. 2 shall be deemed to be dismissed. On necessary compliance, notice to respondent No.2 for 10.08.2018.”

In view of the above, appeal against respondent No. 2 stands dismissed. As the appeal against respondent No. 2 (owner of the offending vehicle) has been dismissed, nothing survives for consideration with regard to enhancement of compensation particularly in the circumstances that the insurance company has been given right of recovery against respondent No. 2.

(Rekha Mittal)
Judge

10.08.2018
mohan bimbura

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