

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

**C.Ms. No.5166-5170-CII of 2018 in/and
FAO No.1363 of 2018
Date of Decision: 14.03.2018**

Amrinder Singh

... Appellant

Versus

United India Insurance Company Limited & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Tarun Dhingra, Advocate,
for the appellant.

RAMENDRA JAIN, J.(Oral)

C.M. No.5167-CII of 2018

Through this application prayer has been made for condoning exorbitant delay of 967 days in filing the appeal.

It is averred that the appellant did not pursue the case before the learned Tribunal below on account of assurance of his employer-owner of the vehicle that his presence was not required, because the vehicle in question was duly insured and all the relevant documents were available on the Court file. The applicant was not aware about the impugned award and came to know of the same, when he received notice in the execution proceedings initiated by respondent No.2-claimant.

Heard.

The ground for condonation of delay taken by the applicant in the application are casual in nature taken by every litigant since last five decades. Much water has already been flown. Now the time has come to deal with such type of false and concocted pleas with severe hands and are required to be dismissed summarily with exemplary costs.

A perusal of the impugned award shows that the same was passed in the presence of the learned counsel for the applicant-appellant namely Sh. A.K. Lather. Therefore, the story put-forth by the applicant-appellant that he did not pursue the case on account of assurance of his employer is completely false.

Accordingly the application is dismissed.

FAO No.1363 of 2018(O&M)

The applicant-appellant has not deposited the amount of ₹25,000/- with the Registry, which is a condition precedent for filing the present appeal. Therefore, the instant appeal is liable to be dismissed from this angle too. The report (Annexure A-1), which has been sought to be placed on record by the applicant, by way of additional evidence, moving application C.M. No.5170-CII of 2018 seems to be procured one, inasmuch as in case, the applicant-appellant was having valid driving licence on the date of accident, in that eventuality, he must have produced the same before the Tribunal without fail.

In view of the overall facts and circumstances discussed above, the main appeal along with all the applications is dismissed.

14.03.2018
monika

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No