

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

FAO No. 1363 of 1998 (O&M)

Date of Decision: 13.02.2019

National Insurance Company Ltd.

.....Appellant

versus

Smt. Rabaro and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
 HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Deepak Suri, Advocate with
 Mr. Neeraj Khanna, Advocate, for the appellant.
 Appeal qua respondents No.1 to 3 already dismissed on
 14.10.2015 and 18.11.2015.

KRISHNA MURARI, C.J.(oral)

This appeal under Section 173 of the Motor Vehicles Act, 1988 is filed by the insurance company challenging the award of the Motor Accident Claims Tribunal dated 14.01.1998 awarding compensation to the tune Rs.1,50,000/- to the respondent-claimant along with interest at the rate of 12% per annum on account of death of the husband of the claimant-respondent in the road accident.

Record indicates that vide order dated 14.10.2015 the appeal was dismissed against the first respondent and fresh notices were issued to respondents No.2 and 3. However, since the appellant failed to take steps, it was dismissed against respondents No.2 and 3 as well vide order dated 18.11.2015.

Once the appeal was dismissed against all the three respondents, we find no justification to continue this appeal on board any further and the same ought to have been consigned to records.

Since the appeal has already been dismissed against the respondents vide orders dated 14.10.2015 and 18.11.2015 respectively, the same stands consigned to record room.

In terms of the order dated 13.07.1998 passed by this Court, 50% of the compensation awarded by the Tribunal was ordered to be released to the claimants whereas balance 50% was required to be kept in a nationalized bank, though the claimants were held entitled to the interest thereupon. Needless to assert that as the appeal stands dismissed, the said amount shall also be released to the claimants without any further delay.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

13.02.2019
ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√