

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

231

FAO-1036-1990

Date of Decision: 20.11.2023

M/s Krishan Lal Labhi Ram

...Appellant

VS

Bimla Devi and others

...Respondents

CORAM : HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: None for the appellant.

Mr. S.S. Sidhu, Advocate
for respondent No.3-Insurance Company.

AMAN CHAUDHARY, J (ORAL)

1. The case file was burnt in the fire that broke out in the concerned branch in the year 2011. This Court passed the following orders:

04.10.2019

“This file has been put up by the Registry as the same pertains to an appeal, the file of which was destroyed in a fire incident which took place on the High Court premises in 2011. No details regarding address of the appellant/respondents are forthcoming. It cannot even be fathomed as to which is the insurance company which is involved. Perusal of the papers put up before me reveal a note by Mr. Pardeep Bedi, Advocate, to the effect that he has returned the file to the Insurance Company.

Efforts be made by the Registry, to find out, at-least, the Insurance Company, which is a party to this appeal.

Notice be issued to Mr. Pardeep Bedi, Advocate, for 07.04.2020, as well.”

8.7.2022

“As per office report, learned counsel has been informed telephonically as well as through email about the date fixed. However, neither is there any representation on behalf of the appellant, nor any body has tendered appearance on behalf of the respondent-Insurance Company.

Let notice be issued to the appellants for 20.09.2022.”

2.2.2023

“This is a burnt case. As per office report, letter was issued to counsel for the appellant to provide complete copy of the paper book in the Registry and in response thereto, he has stated that he has no such case in his office and he has returned all insurance MACT cases to the respective insurance company.

Accordingly, fresh notice be issued to the parties for 07.11.2023.”

2. Mr.S.S Sidhu, Advocate, who appeared on 07.11.2023 for the Insurance Company, had prayed for a week's time to get instructions, however, today, he has apprised the Court that there is no record available regarding the present matter in the office of the Company.
3. This Court has no option but to dismiss the present appeal for non-prosecution.
4. Registry is directed to send a copy of this order to the appellant at the last known address, as also to the concerned SHO of the area to intimate the same.
5. A period of three months is granted for seeking recalling of this order.

(AMAN CHAUDHARY)
JUDGE

20.11.2023
Hemant

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