

2023:PHHC:166161

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

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FAO-393-1994
XOBJC-63-CII-2002
Date of decision: 21.12.2023

United India Assurance Co.Appellant
versus

Amri Devi and Ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Suraj Mandhan, Advocate for
Mr. Suman Jain, Advocate for the applicant.

AMAN CHAUDHARY, J (ORAL)

1. In terms of the order passed by this Court, response received from the Civil Judge (Sr. Division), Faridabad vide letter dated 03.03.2021 is that despite best efforts record of the case is not traceable as it was damaged by water entering into the record room long ago and that without particulars of the case, the file cannot be reconstructed.
2. Notice was issued to Mr. Pardeep Bedi, Advocate, Mr. N.K. Gautam, Advocate, Mr. Harsh Aggarwal, Advocate and Mr. Suman Jain, Advocate, Mr. R.S. Saini, Advocate, Mr. R.S. Chauhan, Advocate through email. Mr. Suraj Mandhan, Advocate appears on behalf of Mr. Suman Jain, Advocate and submits that despite best efforts, record is not available with the United India Assurance Co. as regards the present case is concerned.
3. In view of the above, this Court has no option but to dismiss the present appeal for non-prosecution. However, liberty to revive the same as and when record is available or such need arises.
4. Ordered accordingly.

**(AMAN CHAUDHARY)
JUDGE**

21.12.2023
Hemant

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