

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

226

FAO-2458-1995

Date of Decision: 29.11.2023

M/s Oriental Insurance Company Limited

...Appellant

VS

Rajinder Paul and others

...Respondents

CORAM : HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vinod Chaudhri, Advocate
for the appellant.

None for the respondents.

AMAN CHAUDHARY, J.

1. Challenge in the present appeal is to the award dated 24.08.1995 passed by the learned Motor Accident Claims Tribunal, Sangrur (for short 'the Tribunal'), whereby a sum of Rs.1,25,500/- was awarded as compensation to respondent No.1, on account of injuries received by claimant-respondent No.1, in a motor vehicular accident and the appellant being the insurer, driver and owner of the offending vehicle were jointly and severally held liable to make the payment.

2. The only issue involved in the present appeal is with regard to the liability of the Insurance Company.

3. On the last date of hearing i.e.16.05.2022, this Court has passed the following order:-

“Learned counsel for the appellant states that it would not be possible to get the details of legal representatives of respondent No.2 as the matter is very old and it is difficult to locate them. In view thereof, the present appeal is deemed to be dismissed qua respondent No.2.
None has put in appearance for respondent No.1 today.
As per office report, service of respondent No.3 has not yet been effected. Let fresh notice be issued to respondent No.3 returnable 15.07.2022.”

4. As per office report, notice issued to respondent No.3 has been

received back with the report ‘not residing at given address/incorrect address’ and thus unserved.

5. Learned counsel for the appellant submits that there is no fresh address available of the unserved respondent despite making best efforts in this regard.

6. In view of the above, there is no option with the Court to dismiss the present appeal for non-prosecution. Ordered accordingly.

29.11.2023
Hemant

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No