IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

245 FAO-4861-1996
Date of Decision: 22.11.2023

United India Insurance Co …Appellant

VS

Shelika Sharma and Ors …Respondents

CORAM : HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Suvir Dewan, Advocate for the appellant.

None for the respondents.

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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:

30.01.2014

"This petition was also filed through Sh.Pradeep Bedi, Advocate. It is stated that he has returned all the briefs of the High Court.

On the asking of the Court, Sh.Suvir Dewan, Advocate, who is on the panel of the National Insurance Company Limited, has accepted notice and seeks adjournment to take instructions and get a copy of the paper book from the appellant. Prays for four weeks time to contact the appellant and get the paper book so that further proceedings can be taken.

Adjourned to 13.03.2014."

13.03.2014

"Learned counsel seeks one more opportunity to enable the insurance company to trace the file.

Adjourned to 10.04.2014."

22.08.2014

"Counsel for the appellant prays for some more time to comply with order dated March 13, 2014.

Last opportunity is provided to do the needful.

Adjourned to 10.12.2014."

10.12.2014

"Learned counsel for the appellant seeks more time to comply with order dated 13.03.2014. He has pointed out that the respondents were represented by Mr. D.C. Mittal, Advocate. Let notice be issued to Mr. D.C. Mittal,Advocate for 13.01.2015.

Let efforts be made to reconstruct the file."

HAMANT
2023.11.24 11:16
I attest to the accuracy and
authenticity of this order/judgment

13.01.2015

> "In response to the notice issued by this Court, Mr. D.C. Mittal, Advocate appeared and states that he was never a counsel in this case and he has appeared today as notice was sent to him.
>
> Learned counsel for the appellant(s) states that they had no record for reconstruction of the file and matter may be adjourned sine-die.
>
> In view of the above, the matter is adjourned sine-die and the same will be put up again for hearing upon filing of an application for revival of the case by either party as and when record of this case is trace out by them."

2. Learned counsel appearing for the appellant has not been able to reconstruct the file.

3. In view of the above, this Court has no option but to dismiss the present appeal for non-prosecution.

4. Ordered accordingly.

(AMAN CHAUDHARY)
JUDGE

22.11.2023
Hemant

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

HAMANT
2023.11.24 11:16
I attest to the accuracy and
authenticity of this order/judgment