

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

FAO No.533 of 1989 (O&M)
Date of decision: 15.01.2024

Jiwani Bai

....Appellant

Versus

Amrik Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the parties.

AMAN CHAUDHARY, J.

1. Challenge in the appeal, filed by the owner of the vehicle is to the award dated 06.12.1988 passed by the Motor Accident Claims Tribunal, Jalandhar (for short 'the Tribunal') vide which driver and owner were held liable to pay compensation to the claimant.
2. The present appeal was filed by Mr. P.C. Mehta and Sh. Som Nath Saini, Advocates, thus, notice to the aforesaid Advocates were issued as well as to the appellant by this Court vide order dated 05.09.2023.
3. On the last date of hearing, Mr. Som Nath Saini, Advocate had stated that the brief had been taken away by the appellant and Mr. P.C. Mehta, Advocate, who had filed the case along with him, has since no more. Therefore, notice having been issued once again to the appellant on 14.11.2023.
4. As per office report, notice issued to the appellant has been received back with the report that he has died.
5. A perusal of the file reveals that stay was declined by this Court while admitting the present appeal vide order dated 06.09.1989.
6. There is no representation on behalf of respondent No.1 as well.

7. In view of the above, this Court has no option but to dismiss the present appeal for non-prosecution with liberty to revive the same, if need arises.
8. Ordered accordingly.
9. Registry is directed to send a copy of this order at the last known address of the appellant, as also to the concerned SHO of the area to intimate the members of the family.

(AMAN CHAUDHARY)
JUDGE

15.01.2024
Ankur

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No