



FAO-3985-2019

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

(342)

FAO-3985-2019

Date of decision: - 30.07.2024

Ashok Paswan and another

....Appellants

Versus

Pawan Kumar and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Lalita Kashyap, Advocate
for Mr. Namit Khurana, Advocate
for the appellants.

Mr. R.C. Gupta, Advocate
for respondent No.3-Insurance Company.

VIKAS BAHL, J. (ORAL)

1. Learned counsel appearing for respondent No.3-Insurance Company has submitted that the insurance company had filed FAO-2888-2018, which was decided on 29.05.2018 and in which the appeal of the insurance company was allowed and the award of the Tribunal was modified to the extent that the appellant was held entitled to compensation of Rs.12,50,335/- instead of Rs.16,20,624/-. It is further submitted that since the appeal was disposed of without hearing the claimants in order to avoid delay, the Co-ordinate Bench had specifically observed that the order be conveyed to the claimants and in case there was any objection by the claimants, they could file an application to the



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said effect. It is stated that till date no such application has been filed by the present appellants.

2. Learned counsel for the appellants has not been able to dispute that no application has been filed by the present appellants to revive the above-said case. It is submitted by the learned counsel for the appellants that the present appeal be disposed of as having been rendered infructuous, but liberty be granted to the appellants to revive the present appeal in case the decision dated 29.05.2018 passed in FAO-2888-2018 is revived/recalled on the application moved by the present appellants.

3. In view of the above, the present appeal is disposed of, as having been rendered infructuous, with the aforesaid liberty.

July 30, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No