



In the High Court of Punjab and Haryana at Chandigarh

[209]

FAO-4139-2005
Date of Decision: 20.09.2024

KAMALJIT SINGH AND OTHERS APPELLANTS

VERSUS

JASWINDER SINGH AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the appellants.

Mr. G.S. Sandhu, Advocate for
respondents No. 6 and 7.

Mr. Ravinder Arora, Advocate for respondent No.8
United India Insurance Company Ltd.

SANJAY VASHISTH, J. (ORAL)

1. The present appeal is shown for its hearing first time after 26.04.20223 and appellants' counsel Mr. G.S. Sidhu, is not present in Court today.
2. Learned counsel appearing for respondent nos. 6 and 7 submits that the present appeal has been filed by Kamaljit Singh and Swaran Singh, who are driver and owner respectively of the Tractor bearing Registration No.PB-24-1193
3. By referring the order dated 26.04.2022 passed by a Bench of Lok Adalat, it is informed that learned counsel for appellants had mentioned the factum of death of both the appellants and sought time to move an application for bringing on record the legal representatives of the said appellants. However, a perusal of the record shows that till date, no such application is found to have been filed ever.



4. Thus, this Court is left with no other option except to dismiss the present appeal for want of prosecution.
5. Accordingly, present appeal stands dismissed for want of prosecution.
6. However, in case, any substantive issue still exists along with cause of action, requiring its adjudication, liberty is granted to the LR's of the appellants to move an appropriate application for seeking revival of the present appeal, within eight weeks from today.
7. It is clarified that if any such application is filed for seeking revival of the present appeal by the appellants, an advance copy of the application would also be delivered to the opposite counsel i.e. respondent(s), and in case, appeal is revived for its disposal on merits, for no reason, except for the exceptional circumstances, hearing of the appeal would be deferred. Therefore, both the sides should remain present and ready for the purpose of addressing the final arguments.
8. Registry is directed to forward a copy of the today's order at the address of the appellants mentioned in the appeal and to Mr. G.S. Sidhu, Advocate, for information.

(SANJAY VASHISTH)
JUDGE

September 20, 2024

ANJAL

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