

Neutral Citation No: 2024:PHHC:100081



FAO-5251-2005(O&M) and
FAO-4480-2005(O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212 FAO-5251-2005(O&M)

Karanvir Singh and another Appellants

Versus

Balkar Singh and others Respondents

212-2 FAO-4480-2005

Dalbir Singh Appellant

Versus

Nachhatar Kaur and others Respondents

Decided on:05.08.2024

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: None for the appellant(s).

Mr. Amit Gautam, Advocate for
Mr. Pardeep Goyal, Advocate
for respondent No.5

SANJAY VASHISTH, J.(Oral)

1. FAO-5251-2005 has been filed by the claimants against the award dated 18.07.2005, passed by learned Motor Accident Claims Tribunal, Barnala, for enhancement of compensation in a death case.

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Learned Tribunal has awarded Rs.5,76,000/- (rupees five lacs seventy six thousand) as compensation to the claimants.

2. **FAO-4480-2005** has been filed by Dalbir Singh(owner of the offending vehicle) against the impugned award dated 18.07.2005, passed by learned Motor Accident Claims Tribunal, Barnala, whereby appellant-Dalbir Singh (owner of the offending vehicle) was held liable to pay 50 % of the compensation amount.

3. On the previous date of hearing i.e. 22.07.2024, none appeared on behalf of the appellant(s). Today, there is no representation on behalf of the appellant, therefore, this Court is left with no other option except to dispose of the present appeal being not prosecuted.

4. However, liberty is granted to the appellant to move an appropriate application for seeking revival of the present appeal, within eight weeks from today, in case, any substantive issue still exists along with a cause of action to appellant.

5. It is clarified that in case, application for recalling/restoration of the appeal is filed, then at the time of hearing of the said application, counsel for the appellant shall be ready with final arguments in the appeal.

6. Let a copy of this order be also forwarded to the appellant at the address mentioned in the memo of parties.

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7. A photocopy of this order be placed on the file of another connected case.

05.08.2024
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[SANJAY VASHISTH]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable?	Yes/No