

Neutral Citation No: 2024-PHHC-118906
FAO-3429-2005(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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FAO-3429-2005(O&M)
Decided on:10.09.2024

Santosh Devi and others

.... Appellants

Versus

Lakha Singh and another

....Respondents

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Lajpat Sharma, Advocate for the appellants.

SANJAY VASHISTH, J.(Oral)

1. Learned counsel for the appellants submits that initially the appeal was filed in the year 2005 against the dismissal of the claim petition filed under Section 166 of the Motor Vehicle Act, 1988. After issuance of notice , vide order dated 07.05.2018, service upon the respondents was not effected. Mr. Lajpat Sharma, Advocate also informs that even *dasti* notices were issued, but appellant failed to effect the required service upon the respondents. Mr. Lajpat Sharma, Advocate further submits that he is unable to assist the Court, until the service is effected upon the respondents. Moreover, the appellant is not in contact with him.

2. In such situation, this Court is left with no other option except to dismiss the present appeal for want of prosecution.

Ordered accordingly.

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 addresses mentioned in the memo of parties.

10.09.2024	[SANJAY VASHISTH]
rashmi	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable?	Yes/No