



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

FAO-839-2005 (O&M)
Decided on : 20.08.2024

Sukhdev Singh and another

... Appellant(s)

Versus

Partap Singh and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: None.

SANJAY VASHISTH, J. (Oral)

1. Present appeal has been filed by the appellants; Sukhdev Singh and Kuldeep Singh sons of Mohinder Singh, for seeking quashing of award dated 22.12.2004, passed by learned MACT, Moga, whereby, an amount of Rs.3,70,000/- has been awarded in favour of the claimants (respondents No.1 to 4 herein) on account of death of Udho Singh @ Uday Singh, who died in motor vehicular accident, which took place on 26.09.2001.

2. Appeal was filed through Mr. Raja Bahadur Singh Jain, Advocate, and Mr. Vikrant Sharma, Advocate. But despite, information sent by the registry, no one is present to represent the appellants.

3. In this situation, this Court is left with no other option, except to dismiss the present appeal, as the same being not prosecuted.

4. Accordingly, present appeal stands **dismissed for non-prosecution.**

5. However, in case, any substantive issue still exists along with cause of action, requiring its adjudication; liberty is granted to the appellants



to move an appropriate application for seeking revival of the present appeal, within eight weeks from today.

6. It is clarified that if any such application is filed for seeking revival of the 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.

7. Registry is directed to forward copy of the today's order at the address of the appellants mentioned in the appeal.

Misc. application(s), if any, also stands disposed of.

(SANJAY VASHISTH)
JUDGE

August 20, 2024

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*