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FAO-9489-2014

PARDEEP RANA V/S STATE OF HARYANA AND ORS

Present:- None for the appellant.

Mr. Narender Kumar Parmar, AAG, Haryana
for respondents No.1 & 2.

Mr. A.S. Sidhu, Advocate &
Mr. Nigam K. Bhardwaj, Advocate
for respondent No.4-ICICI Lombard General Insurance Company Ltd.

This appeal came up for consideration before the National Lok Adalat a number of times, when none appeared on behalf of the appellant.

Bench No.5 of Daily Lok Adalat of this High Court on 13.01.2023 passed a following order:-

“Learned counsel for the appellant has repeatedly not caused representation despite notices sent on the email by the Registry. On the last date of hearing, that is 06.12.2022, notice was issued to the appellant to appear in person. As per the report, no such person is residing at the given address. In the circumstances, we are constrained to return the matter to the Hon'ble High Court.

We, however are at pains to observe that despite repeated notices by the Registry, learned counsel for the appellant has not caused representation. This conduct of the learned counsel for the appellant does not conform to the norms of the legal profession. However, with the assistance of the officers representing the Insurance Company, appellant deserves to be awarded an amount of Rs.1,30,000/-, over and above the amount already granted by the Tribunal below.

In view of the report, the Registry will ensure to verify the signatures of the appellant on the power of attorney circulated by learned counsel for the appellant.

Copy of this order be sent to the appellant as well as the learned counsel who represented the appellant before the trial Court

through the office of the Registrar General of this Court.”

The appellant/his counsel failed to appear, when the matter was put up before Bi-Monthly Lok Adalat on 18.11.2023. On 18.11.2023, following order was passed:-

“Efforts to settle the matter amicably between the parties are underway and as stated by the learned counsel for the Insurance Company, a proposal of Rs.1,30,000/- has been made on behalf of the Insurance Company.

To wait the concurrence of the appellant, it is deemed appropriate to refer it back to the Daily Lok Adalat.

Ordered accordingly.”

Appeal was again listed before this Bench on 01.12.2023. On 01.12.2023, when none appeared on behalf of the appellant, notice was issued to him and his counsel for 19.01.2024. On 19.01.2024, as per service report, notice could not be served for want of complete address. Again attempt was made to serve the appellant through the counsel, who represented him before the MACT i.e. Lalit Gupta, Advocate at Panchkula for today i.e. 09.02.2024.

Today, as per service report, notice was served upon through Mr. Lalit Gupta, Advocate; however, none has put in appearance. It is a case involving injury and it appears that the appellant might have settled in his life and he is not interested to pursue this mater.

Accordingly, this appeal is ordered to be consigned to the record room and deemed to have been disposed of with liberty to the appellant to get it revived as and when so desired.

(JASBIR SINGH)
PRESIDENT

(B.C. GUPTA)
MEMBER

09.02.2024