

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

218

FAO-4266-2016 (O&M)

Date of Decision : 31.01.2024

ORIENTAL INSURANCE CO. LTD

.... Petitioner

VERSUS

KAPIL CHOPRA & ORS.

.... Respondents

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Rajesh Gupta, Advocate for  
Mr. M.K. Garg, Advocate for the appellant.

Mr. Ishan Cooner, Advocate for respondent No.3.

**ALKA SARIN, J. (ORAL)**

1. On 09.10.2023 the following order was passed :

*"It has come on the record that owner of the  
offending vehicle namely Amit Bansal has died.*

*Vide order dated 25.05.2019 last opportunity was  
provided to the counsel for the Insurance Company  
to take necessary steps to implead LRs of owner of  
the offending vehicle but till date no such steps  
have been taken up on behalf of the Insurance  
Company.*

*So, now one last opportunity is granted to  
Insurance Company to take necessary steps to  
implead LRs of owner of offending vehicle namely  
Amit Bansal.*

*Now be listed on 14.12.2023.*

*Counsel for the Insurance Company namely Mr. M.K. Garg, Advocate be informed accordingly.*

*To be taken up immediately after urgent list.*

*Photocopy of this order be placed on connected case file.”*

2. On 14.12.2023 further time was sought by the learned counsel appearing on behalf of the appellant-Insurance Company for impleading the legal representatives of respondent No.4-owner of the offending vehicle. Despite numerous opportunities no steps have been taken to implead the legal representatives of respondent No.4.

3. In the present appeal the appellant-Insurance Company has sought recovery rights qua respondent No.4, owner of the offending vehicle. In view of the failure of the appellant-Insurance Company to implead the legal representatives of respondent No.4-owner, despite numerous opportunities, this Court is left with no other option but to dismiss the present appeal for non-prosecution.

4. Dismissed for non-prosecution. Pending applications, if any, also stand disposed off.

**31.01.2024**  
*Aman Jain*

**(ALKA SARIN)**  
**JUDGE**

*NOTE: Whether speaking/non-speaking: Speaking*  
*Whether reportable: Yer/No*