



FAO-1255-1989

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(134)

FAO-1255-1989

Date of decision: - 15.05.2025

The New India Assurance Co. Ltd.

....Appellant

Versus

Kusam Goel and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Deepak Suri, Advocate,
for the appellant.

Mr. Sylvester, Advocate
for Mr. Alok Mittal, Advocate
for respondent Nos.1 to 5.

None for respondents No.6 and 7.

VIKAS BAHL, J. (ORAL)

1. Present appeal has been filed by the Insurance Company. The claimants were held entitled to a sum of Rs.4,80,000/- alongwith interest at the rate of 12% per annum from the date of petition till realization. A perusal of the paper-book would show that on 05.04.1990, the execution of the award beyond Rs.1,50,000/- was stayed.

2. Learned counsel for respondents No.1 to 5/claimants has submitted that in spite of his best efforts, he has not been able to get in touch with the claimants. Even no one has come to represent respondents No.6 and 7 (driver and owner of the vehicle in question).

3. Learned counsel for the appellant as well as learned counsel for respondents No.1 to 5, in view of the above, have submitted that the present appeal be disposed of, at this stage, but liberty be granted to the appellant to revive the same in case the respondents file an execution to recover the amount beyond Rs.1,50,000/- or any other sum or approach the office of the concerned office of the appellant for enforcing recovery of the said amount.

4. Learned counsel for respondents No.1 to 5 has submitted that liberty be also granted to respondents No.1 to 5 to revive the case in case any cause survives.

5. Keeping in view the above-said facts and circumstances, the present appeal is disposed of, at this stage, with liberty to both the parties, as prayed for.

May 15, 2025
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No