

2025:PHHC:163257



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

205

FAO-4542-2006 (O&M)
Date of decision: 21.11.2025

The New India Assurance Company Ltd.

...Appellant

Versus

Rajinder Luthra and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Lalit Garg, Advocate,
Mr. Vinod Gupta, Advocate and
Ms. Geetika Rani, Advocate for the appellant.

VIKAS SURI, J.(Oral)

1. The challenge in the present appeal preferred by the insurance company is to the award dated 20.03.2006 passed by the learned Motor Accident Claims Tribunal, Faridabad.
2. The present appeal is of the year 2006.
3. The case file has been reconstructed based on the remains recovered from the burnt records as well as documents supplied by learned counsel for the appellant.
4. A perusal of the record would show that notice was issued to the respondents on various dates, however, there is no material to indicate whether service was effected upon the respondents or any



counsel put in appearance on their behalf.

5. Learned counsel for the appellant submits that the appellant is not in a position to locate the current/correct address of the respondents to effect service upon them. However, learned counsel for the appellant further submits that the connected appeal for enhancement of compensation preferred by the claimants against the impugned award, has been disposed of by the Daily Lok Adalat, vide order dated 13.11.2025 with the following observations:

“Present: None for the appellant.
Mr.Aseem Aggarwal, Advocate along with
Ms. Charanjit Kaur, Manager
for New India Assurance Co. Ltd.

Since none had been appearing on behalf of the appellant, notice was issued to her to appear in person before this Forum to explore the possibility of settlement. As per office report, it has been informed by grandson of the appellant that he has since expired. However, neither the legal representatives of the appellant have appeared before this Forum, nor have they engaged any counsel to contest the appeal on their behalf.

Noticing the aforesaid act and conduct of the LR's of the appellant, it seems that they are not interested in pursuing this case. Accordingly, this case is consigned to the record room with liberty to the LR's of the appellant to revive the same by filing an appropriate application before the appropriate Forum if such necessity arises.

Copy of this order be sent to the LR's of the appellant as well as his counsel at the given address.”

6. Learned counsel for the appellant, thus, prays that the



present appeal be also disposed of in the same terms with liberty to seek revival, in the eventuality the connected appeal is restored or in case of occurrence of any other material change in circumstances.

7. Accordingly, this case is closed and consigned to the record room with liberty aforesaid.

November 21, 2025
sumit.k

(VIKAS SURI)
JUDGE

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