

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

2026:PHHC:012384



(105)

FAO-901-1990 (O&M)

Date of Decision:-29.01.2026

THE NEW INDIA ASSURANCE COMPANY LIMITED

... Appellant

Versus

AKBARI AND OTHERS

... Respondents

-.-

CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

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

VIRINDER AGGARWAL, J. (Oral)

1. Fresh notice to respondents No.7 and 9 could not be issued for want of complete address to be filed by the appellant. Appellant/Insurance Company is assailing the award passed by the Motor Vehicles Accident Claims Tribunal vide which the liability was fixed that of Insurance Company along with owner and driver of the vehicle. The liability was joint. Respondents No.7 and 9 are owner and driver of the offending vehicle and appellant is seeking recovery rights. In such circumstances, presence of owner driver is necessary for adjudication of the appeal and in the absence of owner and driver of the offending vehicle, appeal cannot be adjudicated. The correct address is not being filed by the appellant since long. This appeal is pending since 1990, so, I am of the considered opinion that no useful purpose would be served by keeping the instant appeal on the docket, indefinitely.

2. Accordingly, the instant appeal stands dismissed for want of prosecution with liberty to the appellant to revive the same, if have any grievance from this order, within a period of three months from today.

3. As a natural corollary, since the main case stands disposed of, all miscellaneous application(s), if any, shall also stand disposed of, as no fruitful purpose would be served by keeping them .

29th January, 2026

S. Pathania

(VIRINDER AGGARWAL)
JUDGE

Whether reasoned / speaking?
Whether reportable?

Yes / No
Yes / No