



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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FAO-5895-2019 (O&M)

Date of Decision: 18.03.2025

Harnek Singh

.... Appellant

Versus

Bir Singh and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None.

NIDHI GUPTA, J. (ORAL)

The appellant-claimant is in appeal against the Award dated 11.08.2017, passed by the learned Motor Accident Claims Tribunal, Ludhiana, whereby the claim petition filed by the appellant under Section 166 of the Motor Vehicles Act, 1988, was partly allowed and he was granted compensation to the tune of ₹7,43,000/- along with interest @ 7% per annum from the date of filing of petition till its realization.

The matter pertains to the year 2019 and notice is yet to be issued in the same.

Perusal of the order-sheet reveals that on the last date of hearing i.e. 17.03.2023, the case was adjourned at the request of learned counsel for the appellant.

Today, in the first round, learned proxy counsel appearing for the appellant requests for pass-over. However, in the second round none has put in appearance on behalf of the appellant.

A bare reading of the above facts shows that the appellant has exhibited an utterly casual attitude in its pursuit of the present



litigation. It is to be appreciated that very valuable public time of the Court has been expended in affording opportunities to the appellant in the interest of justice. On the other hand, the appellant has adopted an utterly casual and careless approach. It is clear that neither the appellant nor his counsel is seriously interested in pursuing the present matter. Moreover, there is delay of 391 days in filing and 156 days in refiling the present appeal. Thus, this Court is left with no other option except to **dismiss** the same for non-prosecution.

Ordered accordingly.

Pending application(s), if any, shall stands disposed of.

18.03.2025
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(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned **Yes/No**

Whether Reportable **Yes/No**