

DALEL AND ANOTHER V/S KARTAR SINGH AND OTHERS

Present: Mr. Devender Kumar, Advocate
for the appellants.

None for the Insurance Company

1. Fresh Memorandum of Appearance on behalf of the appellants has been filed in the Court today and the same is taken on record.

2. This is an old matter pertaining to the year 2007 but no one has put in appearance on behalf of the Insurance Company.

3. Previously also, in certain cases, this Court had made it clear that no adjournment would be granted in old cases.

4. This Court is distressed to note that, these cases, dating back to year 2006-07 and pertaining to Motor Vehicles Accident, have faced considerable delay(s). The expeditious adjudication of these cases is imperative. However, it has often come to the Court's notice that counsel for Insurance Companies fail to appear despite specific orders from the Court.

5. In light of these exceptional circumstances, this Court finds it necessary to inform all the Insurance Companies and their empanelled counsels appearing before this Court that in the event any of their engaged counsel fails to appear, the Court will request assistance from the counsel empanelled with the Insurance Companies, who are usually present in the Court to assist in the matter. Thereafter, the case would be adjudicated on its merits, after perusing the record.

The concerned Insurance Companies are directed to disburse the current scheduled fees to the counsel engaged by this Court for the respective cases.

6. **Registry is directed/instructed to forward the copies of this order to notify all insurance companies about pending MACT cases.**

7. In view of the above, on the asking of the Court, Mr. Aseem Aggarwal, Advocate, who is present in Court accepts notice on behalf of the Insurance Company.

CM-8619-CII-2007

1. The present application has been filed seeking condonation of delay of 594 days in filing of the appeal.

2. Learned counsel for the appellants submit that prima facie, he has a good case and prays that he would not press for the interest for delayed period of 594 days in filing appeal, in case the delay is condoned.

3. Learned counsel for Insurance Company has no objection to the prayer made by learned counsel for the appellants.

4. For the reasons mentioned in the application, the application is allowed and delay of 594 days in filing the appeal is condoned subject to the condition that the appellants would not claim the interest for the aforesaid delayed period of 594 days.

FAO-1682-2007

5. Learned counsel for the appellants is directed to hand over the copy of the paperbook alongwith relevant record to the learned counsel for respondent No.3-Insurance Company.

6. List on 02.08.2024.

(SUDEEPTI SHARMA)
JUDGE

July 18, 2024
sonia arora