

Misc Case 3 of 2015
MV 142 of 2007

Order No. 45
15.06.2026

The petitioner-claimant has prayed for adjournment by petition. None moved the petition till 1 PM. The OP-Insurer has filed hazira.

The principal application under Sec. 166 of the MV Act, 1988 (registered as MV Case 142 of 2007) was filed on 23 March 2007.

Deficit court fee amounting to Rs. 4490/ was left unpaid by the petitioner, and despite getting multiple opportunities in this regard the petitioner refused to clear the obligation which, it must be mentioned, subsists even till this day.

25 February 2015 was fixed for peremptory hearing and payment of the unpaid portion of the assessed court fee. On that date, as the petitioner-claimant had again asked for adjournment this Court had deemed it fit to dismiss the principal application for default.

On 21 April 2015 the petitioner-claimant filed an application for restoration under Order 9 Rule 9 of the CPC. This application was registered as Misc Case 3 of 2015. Thereafter, the petitioner-claimant chose to delay the matter by playing fast and loose with the Court. On some days he would remain absent, on some he would seek adjournment, and on some other days he would save the day by filing a belated show-cause. This is how the matter was dragged on for years.

Today, as noticed earlier, the petitioner-claimant has once again tried his luck with an adjournment petition.

However, in the context of the petitioner-claimant's dismal conduct as evidenced by the prior orders I am absolutely loath to allow any further time to him as to do so would be to allow this Court to be complicit in the design to mock the avowed objectives of speedy disposal and docket management.

The prayer for adjournment stands rejected. The application for restoration registered as Misc Case 3 of 2015 is dismissed. Note in the relevant register.

Typed by me:

ADJ, 4th Court,
Berhmp, Msd.