



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 885 of 2016**

Oriental Insurance Company Limited Through The Divisional Manager,
Divisional Office, Madina Manjil Kachahari Chowk, Jail Road, Raipur
Chhattisgarh (Insurer) Non-Applicant No. 3, **... Appellant**

versus

1 - Lakhanlal Soni S/o Shrinath Soni, Aged About 56 Years R/o Of Rajendra
Nagar, Ambikapur, Police Station And Tahsil- Ambikapur, District-Surguja
Chhattisgarh....Claimant,

2 - Tajinder Singh Siddhu, S/o Of Wasan Singh, C/o Shri Dhananjay Singh,
Quarter No. B-1470 Sector-3, Dhuruwa, Ranchi Jharkhand Owner,

3 - Rajendra Singh @ Bunty S/o Late Haricharan Singh, Aged About 38 Years
R/o In Front Of Shyam Rice Mill, Nayak Bandh, Abhanpur, Police Station-
Abhanpur, District- Raipur Chhattisgarh.....Non-Applicants, **... Respondents**

For Appellant : Shri Hanuman Prasad Agrawal, Advocate.

For Respondents : None, though served.

(HON'BLE SHRI JUSTICE RADHAKISHAN AGRAWAL)**Order on Board****21/01/2026**

1. This is insurer's appeal seeking setting aside the impugned award dated 04.04.2016 passed in Motor Accident Claim Case No. 25/2015 by the 5th Additional Motor Accident Claims Tribunal, Surguja whereby the learned Tribunal allowed the claim petition granting compensation to the tune of Rs.1,94,200/- in an injury case along with interest @ 7% per annum from the date of claim petition till its realisation.

2. Learned counsel for the appellant/insurer submits that as per order



dated 18.07.2024, expenses for paper publication for service of notice to respondent No.2 have not been paid.

3. As per order dated 18.07.2024, the application filed by the appellant under Order 5 Rule 20 C.P.C. for service of notice upon respondent No.2 – Tajinder Singh Siddhu through paper publication has been allowed and the appellant has also been permitted to do so. Thereafter, on 28.08.2024, interlocutory application for condonation of delay in payment of P.F. was allowed and the Registry was directed to proceed further. On 29.11.2024, appellant/insurer further prayed for time and even after that, on 12.12.2024, 14.02.2025, 02.07.2025 and 04.11.2025, further time was granted to the appellant/insurer for service of notice upon respondent No.2 – Tajinder Singh Siddhu through paper publication. The aforesaid dates would indicate that the appellant has been given number of opportunities to comply with the Court orders, but till today, the order dated 18.07.2024 has not been complied with.

4. In these circumstances, no other option is left out to this Court except to dismiss this appeal for non-compliance of the Court order dated 18.07.2024.

5. Accordingly, this appeal is dismissed for non-compliance of the Court order dated 18.07.2024.

6. The Cross-Appeal filed by the claimant/respondent No.1 under Order 41 Rule 22 of the C.P.C. is also dismissed for want of prosecution.

Sd/-

(Radhakishan Agrawal)

JUDGE