

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet,

MAC No. 1093 of 2016

The Oriental Insurance Company Ltd. **Versus** Mst. Savitri Bai

30.06.2022	Shri R.N.Pusty, counsel for the appellant. None for respondents No. 1 to 6, though served. Respondent No.7 – Driver of the offending vehicle is reported to be unserved. Heard on I.A.No.02/2016 filed under Order 41 Rule 14(4) of the Code of Civil Procedure, 1908 praying for dispensing with service of notice upon respondent No.7 – Driver of the offending vehicle. Learned counsel for the appellant submits that the said respondent was proceeded ex parte before the concerned Tribunal on 14.07.2015 and when this appellant had paid Process Fee to summon him as a witness, the Process Server had given his report on 20.02.2016 that he had left his known place of residence and had not filed any other address for service upon him. It is contended further that since the said respondent was proceeded ex parte, therefore, notice upon him may be dispensed with. On due consideration, the application is allowed and notice upon the said respondent is hereby dispensed with. I.A.No.02/2016, thus, stands disposed of. Let fresh reminder be sent for requisitioning the record of the Court below. Sd/- (Sanjay S. Agrawal) Judge