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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 453/2018**

UNITED INDIA INSURANCE CO LTD

.....Appellant

Through: Ms. Khushi Sachdeva, Adv.

versus

URMILA DEVI & ORS (THE ORIENTAL INSURANCE CO LTD)

.....Respondents

Through: Mr. S.D. Wadhwa, Adv. for R-1.

CORAM:

JOINT REGISTRAR (JUDICIAL) BHAWANI SHARMA

ORDER

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10.02.2025

Present matter has been received for completion of service of respondents as directed in order dated 11.12.2018 of the Hon'ble Court.

As per office note, PF/proof of cost has not been filed.

Learned counsel for appellant seeks fresh opportunity to serve R-5 and 6 again and also for payment of cost in terms of order dated 25.04.2024.

Learned counsel for R-1 has objection to the same submitting that since 11.12.2018 appellant has not taken steps for service of respondents.

As per record, there is appearance recorded on behalf of R-1 and R-4 before the Hon'ble Court on 11.12.2018. Hence, R-2, 3, 5 and 6 are required to be served.

Vide order dated 29.11.2018, R-2 was duly served although, no appearance has ever come on behalf of R-2 and a report has been received with respect to R-3 that "he has expired".



Vide order dated 31.08.2022, application for impleadment of all the LRs except LR (a) of deceased R-3 was allowed and the appellant was directed to move appropriate application for impleadment of LRs of LR (a) of deceased R-3. However, till date no application has been filed by the appellant.

Matter is pending for service of R-5 and 6.

It is observed that vide order dated 15.10.2022 on application moved by the appellant substituted service of R-5 and 6 was allowed by my learned Predecessor through publication in newspapers 'Rashtriya Sahara' and 'The Statesman' and the English newspaper was changed to 'Pioneer' as the same was in circulation in the area where R-5 and 6 were known to have last resided. The appellant was directed to file proof of service on the next date of hearing.

Despite giving opportunities vide orders dated 25.05.2023, 18.09.2023 and 15.12.2023 no steps were taken by the appellant to serve R-5 and 6.

Vide order dated 25.04.2024, conditional opportunity by burdening the appellant with cost of Rs. 5,000/- to be deposited with DHCLSC was granted to the appellant, however, despite conditional opportunity and despite further opportunities vide orders dated 29.08.2024 and 22.10.2024 again no steps were taken for service of R-5 and 6.

It is observed that since 11.12.2018 matter has not been placed before the Hon'ble Court.

In view of the submission, matter be placed before the Hon'ble Court on 10.03.2025 for passing necessary directions, if any.

**BHAWANI SHARMA
JOINT REGISTRAR
(JUDICIAL)**

FEBRUARY 10, 2025/yo