

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- MA No. 9/2015
c/w
MA No. 296/2017
MA No. 297/2017

New India Assurance Co. Ltd.

.....Appellant(s)/Petitioner(s)

Vs

Zabida Bi and others

..... Respondent(s)

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
24.07.2024

01. These three appeals are arising out of a common award dated 17.09.2014 passed by the Motor Accidents Claim Tribunal, Poonch.

MA No. 9/2015

Mr. Uday Baskar, Advocate vice Mr. Jugal Kishore Gupta, Advocate for the appellant.
None for the respondents.

02. The claimants are the respondent Nos. 1 to 7. The respondent Nos. 1 to 5 are being represented by Advocate Mr. Rameshwar P. Sharma, as his Vakalatnama dated 04.04.2015 is on record and, therefore, there is an error in the order dated 02.03.2024 insofar as mentioning of name of M. S. Hussain, Advocate (Mohd. Shaqir Hussain, Advocate), who is now no more as he has demised.

03. Cause list does not reflect the name of Mr. Rameshwar P. Sharma, Advocate for the respondent Nos. 1 to 5 and that is the reason that on behalf of the respondent Nos. 1 to 5, today there is no representation.

04. **Concerned in the Registry to ensure that in the next cause list, name of Mr. Rameshwar P. Sharma, Advocate for the respondent Nos. 1 to 5 is mentioned without miss failing which the concerned in the Registry shall suffer an explanation.**

05. Respondent No. 9 – Mohd. Ruksar is the driver of the offending vehicle, who figured as respondent No. 3 in the claim petition No. 35/2012 titled “Zabida Bi and others Vs New India Assurance Co. Ltd. and others.” Respondent No. 9 is being represented by M/s Z. A. Mughal & Zaffar Iqbal Choudhary, Advocates, as is born out from vakalatnama on record. Today, there is no representation on behalf of the respondent No. 9.

06. With respect to the respondent No. 8 – Abdul Hamid, the owner of the offending vehicle, he caused appearance in person in the case as is born out from office noting dated 21.04.2016.

07. Respondent No. 6-Mughal Husain, one of the claimants and who was the father of the deceased Mohd. Saghir has also demised.

08. Await appearance of the respondent Nos. 8 & 9.

09. On account of non-appearance of the respondent Nos. 8 & 9 on the next date of hearing they shall suffer ex-parte proceedings.

MA No. 296/2017

Mr. Uday Baskar, Advocate vice Mr. Jugal Kishore Gupta, Advocate for the appellant.
Mr. Achal Sharma, Advocate for the respondents 1 to 8.

10. On behalf of the respondent Nos. 1 to 8/claimants Advocate Achal Sharma is present.

11. None appears on behalf of the respondent Nos. 9 & 10 in the instant appeal bearing same status as in MA No. 9/2015.

12. Await appearance of the respondent Nos. 9 & 10.

MA No. 297/2017

Mr. Uday Baskar, Advocate vice Mr. Jugal Kishore Gupta, Advocate for the appellant.
Mr. Achal Sharma, Advocate for the respondents 1 to 6.

13. Mr. Achal Sharma, Advocate appears for the respondent Nos. 1 to 6/claimants.

14. None appears for the respondent Nos. 7 & 8 bearing same status as in MA No. 9/2015.

15. Await appearance.

16. Adjourned.

17. List all the three appeals on 09.08.2024.

(RAHUL BHARTI)
JUDGE

JAMMU
24.07.2024
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