IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 2nd OF FEBRUARY, 2024

SECOND APPEAL No. 691 of 2011

BETWEEN:-

GUMANSINGH S/O BALU BHILALA, AGED ABOUT 60 YEARS , OCCUPATION: AGRICULTRIST, R/O AAGALLGOT, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)

.....APPELLANT

(NONE FOR THE APPELLANT)

AND

1. **NAANLA AND 7 ORS. S/O ANSINGH BHILALA, AGED ABOUT 45 YEARS, R/O GRAM AKLU, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

2. **KEKDIYA S/O CHIMALIYA, AGED ABOUT 35 YEARS, OCCUPATION: AGRICL., R/O GRAM AKLU, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

3. **MANA S/O KUCHIYA, AGED ABOUT 40 YEARS, R/O AKLU, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

4. **SMT. DANI W/O LATE KUCHIYA, AGED ABOUT 40 YEARS, R / O AKLU, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

5. **PAATALIA S/O BUDHIYA , AGED ABOUT 40 YEARS, R / O AKLU, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

6. **INDRIYA S/O KUCHIYA, AGED ABOUT 30 YEARS, R / O AKLU, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

7. **SMT. NURLI W/O RUPLA, AGED ABOUT 30 YEARS, R/O AMBARI, TEHSIL AND DISTRICT ALIRAJPUR (MADHYA PRADESH)**

Signature Not Verified
Signed by: TEJPRAKASH VYAS
Signing time: 2/3/2024 10:46:17 AM

8. DISTRICT COLLECTOR, THE STATE OF MADHYA PRADESH, DISTRICT ALIRAJPUR (MADHYA PRADESH)

.....RESPONDENTS

(R.NO.8 BY SHRI AMIT RAVAL - GOVT. ADVOCATE)

This appeal coming on for admission this day, the court passed the following:

ORDER

From perusal of the earlier order sheets, it reveals that nobody marked appearance on behalf of the appellant on earlier occasions i.e. on 12/09/2019, 18/10/2019 and 13/03/2020. Today also nobody appeared on behalf of the appellant.

This repeated non-appearance of the appellant for last five years is sufficient to show that the appellant has lost its interest in prosecuting this second appeal, therefore, the second appeal is dismissed in default for want of prosecution.

Let record of both the Courts below be sent back to the concerned Court along with copy of this order.

(ANIL VERMA)
JUDGE

Tej

Signature Not Verified
Signed by: TEJPRAKASH VYAS
Signing time: 2/3/2024 10:46:17 AM