



IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

ON THE 2nd OF JULY, 2025

FIRST APPEAL No. 55 of 2001

LAXMI BAI AND OTHERS

Versus

STATE OF M.P.

.....
Appearance:

Shri Bhagwan Raj Pandey - Advocate for appellants through Video Conferencing.

Shri Dilip Awasthi - Government Advocate for State.
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ORDER

It is submitted by Shri Bhagwan Raj Pandey that he has been informed that appellants No.1 and 3 have died. Although it was submitted by Shri Pandey that he is not aware about the date of death of appellants No.1 and 3, but he fairly admitted that they have died prior to 90 days.

2. No application for substitution of legal representatives of appellants No.1 and 3 has been filed. No application for setting aside abatement or application for condonation of delay (if required) has been filed. Thus, it is clear that by force of law, the appeal filed by appellants No.1 and 3 has already stood abated.

3. Now the only question for consideration is as to whether the entire appeal would stand abated or it would stand abated only in respect of appellants No.1 and 3.



4. This appeal has been filed arising out of an order passed in a reference made under Section 18 of Land Acquisition Act. Thus, it is clear that order under challenge is inseparable.

5. Under these circumstances, the entire appeal would abate.

6. It is, accordingly, **dismissed as abated**. However, liberty is granted to the appellants to file an application for condonation of delay in filing of an application for setting aside abatement, an application for setting aside abatement as well as an application for bringing the legal representatives of appellants No.1 and 3 on record.

(G. S. AHLUWALIA)
JUDGE

Rashid