

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

BEFORE

HON'BLE SHRI JUSTICE DWARKA DHISH BANSAL

ON THE 22nd OF SEPTEMBER, 2022

FIRST APPEAL No. 268 of 2003

Between:-

1. NAZAR ILAHI, AGED ABOUT 55 YEARS,
(MADHYA PRADESH) THROUGH HIS LRS.
- 1(A). SMT. RASHEEDA BEGUM W/O W/O LATE SHRI
NAZAR ILAHI, AGED ABOUT 60 YEARS,
H.N.403-A MOTIRAM COMPOUND SADAR
(MADHYA PRADESH)
- 1(B). SHRI MAQSOOD ILAHI S/O S/O LATE SHRI
NAZAR ILAHI, AGED ABOUT 39 YEARS, H.N.
403-A MOTIRAM COMPUND SADAR (MADHYA
PRADESH)
- 1(C). SHRI MAHFOOZ ILAHI S/O S/O LATE SHRI
NAZAR ILAHI, AGED ABOUT 30 YEARS,
H.N.403-A MOTIRAM COMPOUND SADAR
(MADHYA PRADESH)
- 1(D). SMT. SHAHNAZ BEGUM, W/O SHRI NADEEM
AHMED, AGED ABOUT 42 YEARS, R/O ZAFAR
NAGAR, NAGPUR (MAHARASHTRA)

.....APPELLANTS

(NONE)

AND

1. SHRI MOHD. ZAHID, S/O SHRI ABDUL SATTAR,
AGED ABOUT 38 YEARS, R/O MOTIRAM
COMPOUND, SADAR, JABALPUR
2. SHRI PRAVEEN KUMAR CHOUDHARY, S/O
LATE MAAN SINGH CHOUDHAR, AGED
ABOUT 31 YEARS, R/O 405, AZAD CHOWK,
SADAR BAZAR, JABALPUR.

....RESPONDENTS

(BY SHRI SHUBHAM MISHRA-ADVOCATE)

.....
This appeal coming on for final hearing this day, Court passed the following:

ORDER

Vide order dated 11.05.2022, this Court passed detailed order whereby the interim orders of status quo dated 12.12.2019 and 29.01.2020 were vacated and the case was directed to be listed for final hearing in the week commencing from 13.06.2022.

2. Yesterday neither in first nor in the second round of hearing none had appeared. Today also none has appeared on behalf of appellants at about 3:45 P.M..

3. On perusal of the record, it shows that this appeal is arising out of judgment & decree passed by trial Court whereby suit filed for specific performance has been dismissed and instead of passing decree of specific performance, the learned Court has passed decree of refund of money.

4. As none appears on behalf of appellants, this **appeal is dismissed for want of prosecution.**

(DWARKA DHISH BANSAL)

JUDGE

