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SA-1888-2007

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DWARKA DHISH BANSAL

ON THE 19th OF MARCH, 2025SECOND APPEAL No. 1888 of 2007*KANCHHEDILAL VISHWAKARMA**Versus**MANISH KUMAR SAHU*

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Appearance:

None for the parties.
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ORDER

On 17.07.2015 this Court had passed the following order :-

"In view of order-dated 25.3.2009, no further order is warranted on I.A. No.9888/2008. Consequently, the I.A. stands disposed of having been rendered redundant.

Counsel for the respondents submits that during pendency of present appeal, appellant-tenant has handed over possession of the suit property. Let an affidavit to that effect be filed by next date.

List in the week commencing 3.8.2015."

2. In pursuance of the aforesaid order dated 17.07.2015 an affidavit of respondent/defendant-Manish Kumar Sahu has been filed stating that during pendency of the instant second appeal, the appellant has handed over possession of rented premises to the respondent on 15.06.2015. Along with the affidavit order sheets of execution case No.59-A/2005 have also been placed on record.



3. In view of the aforesaid, there is sufficient compliance of order dated 17.07.2015 and as nobody is appearing for the parties to the appeal, therefore, this second appeal is **dismissed for want of prosecution** with cost of Rs.10,000/-.

4. It is made clear that, if any, application for restoration is filed, the deposition of cost of Rs.10,000/- payable to the M.P. High Court Bar Association, Jabalpur, shall be a condition precedent to entertain the application for restoration.

5. Misc. application(s), pending if any, shall stand closed.

(DWARKA DHISH BANSAL)
JUDGE