

Sudina Vs. Ashok Kumar

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SooperKanoon Citation : sooperkanoon.com/1053666

Court : Madhya Pradesh

Decided On : Apr-05-2013

Appellant : Sudina

Respondent : Ashok Kumar

Judgement :

1 M.A.No.223/09.

5.4.2013 .

None for the appellants This case is listed today for admission.

The record of the Tribunal has already been received long before.

In the absence of the appellant and his counsel this appeal could not be considered on the question of admission.

Even otherwise in view of the provision of Order 41 Rule 17 of CPC in the absence of the appellant this appeal could not be considered on merits.

In such premises there is only option with the Court either to adjourn the case or to dismiss the same for want of prosecution.

Earlier this case was listed on 19.8.2011 but it is apparent from the order sheet that on such date also no one was present to prosecute this appeal.

In such premises it appears that the appellants are no more interested in prosecuting the present appeal.

Hence, the same is hereby dismissed for want of prosecution.

(U.

C.Maheshwari) Judge k

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