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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CMI 6/2016 & CM APPL. 47917/2016 & CM APPL.
47919-47920/2016
VIPIN JAIN Petitioner

Through: None

versus

YOGESH JAIN Respondent
Through: None

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
23.10.2024

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1. A suit was filed by respondent Yogesh Jain seeking damages and compensation and by virtue of judgment 25.08.2011, such suit has been decreed and plaintiff has been held entitled to compensation/damages of Rs. 12 lacs.
2. Aforesaid decree has been challenged by filing appeal and along with the appeal, petitioner has also filed an application seeking permission to file the present appeal as an *indigent person*.
3. The enquiry was directed to be conducted by learned Registrar and as per report furnished by the learned Registrar, applicant was not available at the address mentioned by him.
4. Reference in this regard be made to order of the learned Registrar passed on 22.11.2022. As per the report submitted by concerned SDM also, said applicant i.e. Mr. Vipin Jain had left his home around 17 years back.



5. Matter is lingering on and on various previous occasions, there was no appearance from the side of applicant.
6. His appeal would be, formally, registered only when his application is allowed but it is only on account of non-cooperation shown by him that nothing is happening.
7. It is, however, noticed that on the last date, some counsel had appeared from his side.
8. Fact remains that today there is no appearance from his side.
9. There was also direction to the applicant to submit an affidavit disclosing his current address and it seems that no such affidavit has either been filed so far.
10. In view of above, it seems that applicant is no longer interested in pursuing his present application whereby he seeks to file present appeal as an indigent person.
11. However, in the interest of justice, one last and final opportunity is granted to him to appear and to file affidavit as directed earlier, failing which his application i.e. CMI 6/2016 shall be dismissed for non-prosecution.
12. Re-notify on 05.03.2025.

MANOJ JAIN, J

OCTOBER 23, 2024/dr