IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SHEEL NAGU

&

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 12th OF DECEMBER, 2023

FIRST APPEAL No. 322 of 2015

BETWEEN:-

SAPAN KUMAR DAS S/O LATE SHRI JATINDRANATH DAS, AGED ABOUT 60 YEARS, OCCUPATION: RETIRED EWS-237 SHANTI VIHAR COLONY REWA PRESENT ADDRESS EWS 537 VINDHYA VIHAR COLONY PANDRA REWA (MADHYA PRADESH)

.....APPELLANT

(NONE)

AND

SMT. SHAMPA DAS W/O SAPAN KUMAR DAS, AGED ABOUT 49 YEARS, OCCUPATION: LECTURER LIG-1/16A/266 INDRA NAGAR SAMAN BARA P.S. CIVIL LINES REWA (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI ROHIT SOHGAURA - ADVOCATE FOR RESPONDENT-WIFE)

This appeal coming on for hearing this day, ***Justice Sheel Nagu*** *passed the following:*

ORDER

No one had appeared for appellant in the first round.

2. No one appears for appellant when the case is called in second round.

3. No one had appeared for appellant on 19.07.2023.

4. In the present appeal preferred by appellant-husband against the rejection of his application for divorce, this Court on 19.07.2023 had passed the following order :-

Signature Not Verified
Signed by: HIMANSHU KOSHTA
Signing time: 12/13/2023 6:00:37 PM

> "I.A. No.5490/2022 has been filed seeking appropriate directions for conducting an enquiry into the factum of alleged forged order of this Court dated 17.07.2019 passed in the present case annexed as IA/5.
>
> Matter be placed before Registrar General of this Court to conduct enquiry and submit a report in that respect.
>
> List after receipt of report."

5. Registry of this Court conducted an enquiry into the aspect as to whether the said order of this Court passed on 17.07.2019 which is annexed as IA/5 alongwith I.A. No.5490/2022, is a forged document or not ? The report of Registry indicates that the document which is purported to be an order of the Lok Adalat dated 17.07.2019 of this Court is a forged document.

6. The statement of appellant-husband was also recorded by Police-Rewa on 27.11.2021, which is to the effect that based on the said forged Lok Adalat order of this Court dated 17.07.2019, the marriage in question stands annulled.

7. In view of the above, it is obvious that cognizable offence appears to have been committed by appellant-husband.

8. The Registry is, therefore, directed to ensure registration of an FIR as regards the said cognizable offence against appellant-husband and against all other persons (known or unknown) involved in the commission of the said offence, whose names may come to light during investigation.

9. It appears that appellant has lost interest in prosecuting this appeal.

10. Accordingly, this appeal is **dismissed** for want of prosecution.

11. This matter be placed before the Registrar General for compliance of aforesaid order.

Signature Not Verified
Signed by: HIMANSHU KOSHTA
Signing time: 12/13/2023 6:00:37 PM

(SHEEL NAGU)
JUDGE

(DEVNARAYAN MISHRA)
JUDGE

HK

Signature Not Verified
Signed by: HIMANSHU KOSHTA
Signing time: 12/13/2023 6:00:37 PM