

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 414 of 2015**

Bauda S/o Chandu Raot (Rawat) Aged About 65 Years R/o
Village Achhola, P.S. Tumgaon, Tahsil Mahasamund, Civil And
Revenue District Mahasamund Chhattisgarh

---- Applicant

Versus

Krishna Kumar S/o Ramadhin Chandrakar Aged About 65
Years R/o Village Achhola, P.S. Tumgaon, Tahsil
Mahasamund, Civil And Revenue District Mahasamund,
Chhattisgarh

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate.

For Respondent : Shri Manoj Paranjpe, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/11/2015**

(1) Heard on I.A. No.1/2015, which is an application for
condonation of delay in filing the M.C.C..

(2) On due consideration, I am satisfied that the applicant has
succeeded in explaining the cause of delay in filing the M.C.C. and,
therefore, the application { I.A. No.1/2015} is allowed. Delay in filing
the M.C.C. is condoned.

(3) Counsel for the applicant is also heard on restoration petition.

(4) The applicant is seeking restoration of Second Appeal No.
263/2001 which was dismissed for want of prosecution vide order
dated 19.02.2014.

(5) On due consideration of the submissions of the learned counsel for the applicant and the grounds taken in the restoration petition, I am satisfied that the absence of the applicant's counsel on 19.02.2014 when Second Appeal No.263/2001 was taken-up for hearing was based on *bona fide* grounds.

(6) M.C.C. No. 414/2015, therefore, is allowed and Second Appeal No.263/2001 is restored to its original number.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-