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HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 312 of 2015

Manoj Kumar S/o Kabadudas Aged About 36 years R/o Ravidas
Nagar Supela Bhilai Taah And Distt. Durg Chhattisgarh C/o
Shyam Shoe Centre Goal Market Vaisali Nagar Bhilai Tah. &
Distt. Durg Chhattisgarh

----Applicant

Versus

Smt. Sarswati Devi Sinha W/o Yadunandan Sinha, R/o Near Old
Shiv Mandir Vaisalinagar Tan. & Distt. Durg Chhattisgarh

---- Respondent

For Applicant.

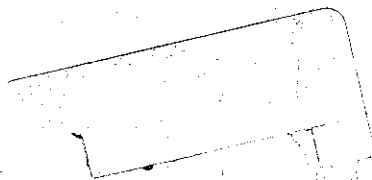
:- Shri Varun Sharma, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

08/05/2015

1. Heard on I.A. No. 01- which is an application for condonation of delay in filing the Restoration Application.
2. The instant M.C.C is barred by limitation by 475 days.
3. On due consideration, as sufficient cause has been shown in not filing of the application for restoration within stipulated period, the I.A. No. 01 is allowed and the delay in filing of the application for restoration stands condoned.
4. The applicant has filed the instant application for restoration of S.A. No. 462/2004 which was dismissed for want of prosecution on 13.11. 2013.





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5. Having perused the application for restoration of Second Appeal No. S.A. No. 462/2004, I am of the opinion that sufficient cause has been explained by the counsel for the applicants for his non appearance on 13.11. 2013.

6. Accordingly in view of the above, the instant M.C.C. is allowed, order dated 13.11.2013 dismissing Second Appeal No. 462/2004 for want of prosecution is hereby recalled and S.A. No. 462/2004 is restored to its original number.

7. No order as to costs.

8. A copy of this order be kept in the record of S.A. No. 462/2004.

**Sd/-
P. Sam Koshy
Judge**