

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 505 of 2015**

Sunder Mohan, son of late Duryodhan, aged about 50 years,
resident of Village Ludeg, Police Station & Tahsil Patthalgaon,
District Raigarh (CG)

---- Applicant**Versus**

1. Madhulal (since deceased) through Lrs.
- 1(i) Dushyant Yadav, son of late Rohit Kumar Yadav (grand son of Madhulal), aged about 21 years, resident of Village & Post Ludeg, Police Station & Tahsil Pathalgaon, District Raigarh.
- (ii) Smt. Chandra Yadav, aged about 38 years, wife of Shri Raghu Yadav, resident of Village & Post Ludeg, Police Station & Tahsil Patthalgaon, District Raigarh (CG)
- 2(i) Rudradhar Khuria, S/o Vidyadhar Khuria, aged about 65 years.
- (ii) Birodhar Khuria, S/o Vidyadhar Khuria, aged about 55 years.
- (iii) Devendra Khuria, S/o Vidyadhar Khuria, aged about 35 years.
- (iv) Smt. Tejeshwari Yadav, daughter of late Mohan Khuriya, aged about 46 years.
- (v) Smt. Krishna Yadav, daughter of late Mohan Khuriya, aged about 43 years.
- (vi) Tamal Kishore Khuriya, son of late Mohan Khuriya, aged about 37 years.
- (vii) Manoj Khuriya, son of late Mohan Khuriya, aged about 34 years.

All are resident of Village Kudeg, Pathalgaon, District Jashpur.

---- Non-applicants

For Applicant	:	Ms. Sharmila Singhai, Advocate
For Non-applicants	:	Shri H.S. Patel and Shri Harish Khuntia, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/12/2015

(1) Learned counsel for the applicant is heard on restoration application.

(2) The applicant is seeking restoration of Second Appeal No.143/1990 which was dismissed for want of prosecution vide order dated 15.06.2015.

(3) On due consideration of the submissions of the learned counsel for the applicant and the grounds taken in the restoration application, I am satisfied that the absence of the applicant's counsel on 15.06.2015 when Second Appeal No.143/1990 was taken-up for hearing was based on bonafide grounds.

(4) Accordingly, M.C.C. No.505/2015, therefore, is allowed and Second Appeal No.143/1990 is restored to its original number.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-