

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCC No.676 of 2015

Gopal Prasad, S/o Late Kanhai Sao, ag 45 years, Occupation-Agriculture & Business, R/o Village Wadrafnagar, Tehsil Wadrafnagar, P.S. Basantpur, Distt. Surguja (C.G.)

Versus

1. Munnalal, S/o late Mahadev Occupation Agriculture & teacher.
2. Sahdev, S/o Jirjodhan, Occupation Agriculture.

Both R/o village Wadrafnagar, Distt. Surguja (C.G.)

3. The State of M.P. (Now C.G.) through Collector Surguja, Ambikapur.

(Order on Board by Hon'ble Shri Justice I.S.Uboweja)

23/12/2015	Shri Shakti Raj Sinha, counsel for the applicant. None for respondents No. 1 & 2 even though served. Shri Surya Kant Mishra, P.L. for the State. Heard on I.A.No.01/2015, application for condonation delay in filing the appeal. Counsel for the State has formally objected. On due consideration, I.A.No.01/2015 is allowed and the delay in filing the appeal is condoned. Heard on M.C.C. for restoration of F.A.No.49/2003, which was dismissed vide order dated 26.7.2012 on the ground of non-prosecution. On due consideration and submission of the counsel for the applicants, I am satisfied that the applicant succeeded in showing the sufficient cause for his counsel's absence on the date when the case was called	

on for hearing.

Accordingly, M.C.C. is allowed and the First Appeal No.49/2003 dismissed for want of prosecution on 26.7.2012 is restored to its original number.

A copy of this order be placed on record of F.A.No.49/2003.

Sd/-
(I.S.Uboweja)
Judge