

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 996 of 2015

- Bhagwani Vishwakarma S/o Late Shri Mangaluram, Aged about 36 Years, (Wrongly Mention As Bhagwant Vishwakarma in the impugned order dated- 10/05/2012) R/o Village- Ddhank, P.S.- Pithora, Tahsil, Civil & Revenue Distt. & Distt. Mahasamund (Chhattisgarh)(Claimant)

---- Applicant

Versus

1. Gurmeet Singh S/o Shri Mansingh, Aged about 37 Years, R/o Saraipali, Tahsil- Saraipali, Civil Distt. & Distt. Mahasamund, (Chhattisgarh) (Driver of Swift Car No. C.G./04/DE/5601)
2. Pradeep Jain, S/o Shri Kamidan Jain, Aged about 36 Years, R/o Through Pramod Sethiya, Hanuman Society, Kalibadi, P.S.- Kalibadi, Raipur, Tahsil- Raipur, Civil Distt. & Distt. Raipur (Chhattisgarh) (Owner of Swift Car No. C.G./04/DE/5601)
3. The New India Insurance Company Limited, Through- The Divisional Office- At Madina Building, Jail Road, Raipur, Distt. Raipur (Chhattisgarh) (Insurance Company Of Swift Car No. C.G./04/ D E/5601)

---- Non-applicants

SB : Hon'ble Shri Justice Inder Singh Uboweja

16-12-2015	Shri Jameel Akhtar Lohani, counsel for the applicant. Shri B.M. Roy, Advocate appears on behalf of Shri Raj Awasthi, counsel for respondent No.3. Heard on I.A. No.01/2015 which is an application for condonation of delay in filing the M.C.C. On due consideration and the grounds mentioned in the application, the same is allowed to which learned counsel appearing for non-applicant No.3 has no objection and the delay in filing the M.C.C. is hereby condoned. Also heard on M.C.C. for restoration of M.A.(C) No.1612 of 2009 which was dismissed for want of prosecution on 10-05-2012.	
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Considering the ground taken in the MCC and the submission of learned counsel for the applicant, I am satisfied that the applicant has shown sufficient cause for his non-appearance before this Court when the matter is called for hearing.

Therefore, the MCC is allowed and M.A.(C) No.1612/2009 is restored to its original number.

A copy of this order be placed on record of the original file and the same be listed for hearing.

Sd/-
(I.S. Uboweja)
JUDGE

