

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.999 of 2015**

1. Mahesh Prasad Kannauje, S/o late Khedu Ram, aged about 45 years.
2. Deen Dayal Kannauje, S/o late Khedu Ram, aged about 48 years.
3. Hemant Kannauje, S/o late Khedu Ram, aged about 52 years.
4. Tunni Lal Kannauje, S/o late Khedu Ram, aged about 49 years.

All are resident of Village Rohanti-Palari, Tahsil Baloda Bazar, Revenue and Civil District Raipur, (Now District Baloda Bazar-Bhatapara (CG) **---- Applicant**

Versus

1. Smt. (Musammat) Gulabia Bai, aged about 50 years, R/o Village Sasha, Tahsil Baloda Bazar, District Raipur, Now District Baloda Bazar-Bhatapara.
2. State of M.P., through the Collector, Raipur, District Raipur, now State of Chhattisgarh, through Collector, Baloda-Bazar, District Baloda Bazar-Bhatapara (CG) **---- Non-applicants**

For Applicants : Shri Pushpendra Kumar Patel, Advocate.
For Non-applicant : Shri Dilman Rati Minj, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/12/2015

- (1) Heard on I.A. No.01/2015, an application for condonation of delay in filing the MCC.
- (2) On due consideration, I am satisfied that the applicants have succeeded in explaining the cause of delay in filing the MCC and,

therefore, I.A.No.01/2015 is allowed. Delay in filing the MCC is condoned.

(3) Learned counsel for the applicants is heard on restoration application.

(4) The applicants are seeking restoration of Second Appeal No.650/2000 which was dismissed for want of prosecution vide order dated 13.03.2014.

(5) On due consideration of the submissions of the learned counsel for the applicants and the grounds taken in the restoration application, I am satisfied that the absence of the applicants' counsel on 13.03.2014 when Second Appeal No.650/2000 was taken-up for hearing was based on bonafide grounds.

(6) Accordingly, M.C.C. No.999/2015 is allowed and Second Appeal No.650/2000 is restored to its original number.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-