

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No.1175 of 2013

Dhanusdhari Yadav **Versus** Budhsai & Anr.

07/12/2015	Shri Ms. Priyanka Mehta, Advocate for the applicant. Heard on instant M.C.C. an application for allowing the applicant/appellant to prefer appeal as an indigent person under Order 44 Rule 1 of Code of Civil Procedure, 1908 (in brevity 'Code'). The M.C.C. is followed by first appeal under Section 96 of the Code against the impugned order dated 6-8-2013 passed in Misc. Case No. 12/2012 whereby and whereunder the Court has dismissed the claim as the applicant had filed the claim case beyond stipulated time. Learned counsel for the applicant/appellant submits that they be permitted to prefer appeal as an indigent person. As directed, after due inquiry as required under Order 44 Rule 3 sub-rule (2) of the Code, the Additional Registrar (Judicial) held that the applicant/appellant is an indigent person on the basis of the statement of applicant as well as report submitted by the Joint Collector, Ambikapur. Inquiry report perused. On due consideration, same is accepted. Instant M.C.C. is allowed. Applicant / appellant is permitted to prefer appeal as an indigent person under the provisions of Order 44 Rule 1 of the Code. Registry is directed to register the first appeal and list for further proceedings. Issue notice to the respondents on payment of PF as per rules, making the same returnable within eight weeks. List after eight weeks. Sd/ (Pritinker Diwaker) Judge	Sd/ (Chandra Bhushan Bajpai) Judge

sunita