

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 652 of 2015

1. Ram Narayan, Aged About 50 years Tamrakar, R/o Pendra, Distt. Bilaspur (M.P.), (Now Chhattisgarh)
2. Rajaram . Aged About 35 Years Tamrakar, R/o Pendra, Distt. Bilaspur (M.P.), (Now Chhattisgarh)
3. Shivnarayan, Aged About 30 Years Tamrakar, R/o Pendra, Distt. Bilaspur (M.P.), (Now Chhattisgarh)

---- Applicants

Versus

Fatte Chand Sindhi S/o Pilaram Cloth Merchant Aged About 70 Years R/o Pendra, District- Bilaspur (M.P.), (Now Chhattisgarh)

---- Respondent

For Applicants: Shri Sunil Verma, Advocate on behalf of
Shri Yogendra Chaturvedi.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/08/2015

- (1) Counsel for the applicants submits that default pointed out by the Registry has already been removed.
- (2) Heard on I.A. No.1/2015, which is an application for condonation of delay in filing the M.C.C..
- (3) On due consideration, I am satisfied that the applicants have succeeded in explaining the cause of delay in filing the M.C.C. and, therefore, the application { I.A. No.1/2015} is allowed. Delay in filing the M.C.C. is condoned.

(4) Counsel for the applicants are also heard on restoration petition.

(5) The applicants are seeking restoration of Second Appeal No. 315/1993 which was dismissed for want of prosecution vide order dated 19.06.2015.

(6) On due consideration of the submissions of the learned counsel for the applicants and the grounds taken in the restoration petition, I am satisfied that the absence of the applicants' counsel on 19.06.2015 when Second Appeal No.315/1993 was taken-up for hearing was based on *bona fide* grounds.

(7) M.C.C. No. 652/2015, therefore, is allowed and Second Appeal No. 315/1993 is restored to its original number.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-