

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 67 of 2015

1. Rajmani W/o Late Ramlal, Aged about 30 years
2. Kumari Pooja D/o Late Ramlal, Aged about 11 Years (minor)
Through- legal guardian her mother namely Rajmani.

Both are resident of village Village Kisanpur, P.S. and Tahsil Mungeli, Civil Distt. Bilaspur and Revenue Distt. Mungeli, C.G.

---- Petitioners

Versus

1. Chandulal S/o Late Devadas, Aged about 45 Years
2. Saukhilal S/o Late Devadas, Aged about 31 Years
3. Ramdas S/o Late Devadas, Aged about 30 Years
4. Rukhmani Bai D/o late Devadas, Aged about 28 Years
All are resident of Village Kisanpur, P.S. and Tahsil Mungeli, Civil Distt. Bilaspur and Revenue Distt. Mungeli, C.G.
5. Neera Bai W/o Munna Ram, Aged about 43 Years, R/o Village Ghonghadih, Tahsil Bilaspur, Civil And Revenue Distt. Bilaspur, C.G.
6. State of Chhattisgarh Through- Collector Mungeli, Distt. Mungeli C.G.

---- Respondents

For Applicants	:-	Shri Mirza Hafeez Baig, Advocate
For Respondent No.3	:-	Shri Surkant Mishra, Advocate
For Respondent No.6/State:		Smt. Smita Ghai, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

13/07/2015

The present M.C.C. has been preferred seeking for restoration of S.A. No.468/2013 which was dismissed by virtue of peremptory order dated 29.11.2013.

Counsel for the applicant submits that unfortunately even this M.C.C. has been filed with a delay of 365 days and therefore he has filed an application i.e. I.A. No.01 for condonation of delay in filing the M.C.C.

Heard on I.A. No.01.

Taking into consideration the total facts and circumstances of the case particularly the fact that appellant No.1 is a widow and appellant No.2 is a minor, I.A. No.01 is allowed and the delay of 365 days in filing the present M.C.C. is hereby condoned.

On due consideration, as sufficient cause has been satisfactorily explained by the counsel appearing for the applicants, the instant M.C.C. is allowed and the S.A. No. 468 of 2013 is restored to its original number.

Sd/-
(P. Sam Koshy)
JUDGE

Bhola