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HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 810 of 2015**

1. Smt. Meena Singh (Died) (Deleted)
2. Ku. Aparna Singh, D/o Late Shri Ramesh Kumar Singh, aged about 19 years, R/o Village Shitla Ward Nagar, Ambikapur, Police Station & Tahsil Ambikapur, District Surguja, Civil & Revenue District Surguja (CG) **---- Applicants**

Versus

1. Rambux, S/o Shri Jokhu Rajwar, aged about 28 years.
2. Maniram, S/o Shri Gendaram, aged about 18 years.

Both are resident of Village Mendra Khurd, Police Station & Tahsil Ambikapur, District Surguja (C.G.)
3. Smt. Uma Devi, W/o Shri Nar Narayan Singh, aged about 47 years.
4. Smt. Nisha Singh, W/o Shri Surendra Kumar Singh, aged about 42 years.

Both are resident of Deviganj Ward, Ambikapur, Police Station & Tahsil Ambikapur, District Surguja (C.G.)
5. Smt. Usha Singh Vaish, Assistant Professor English, C-80, Gauranagar Tahsil & District Sagar (M.P.)
6. Animesh Singh, S/o late Shri Ramesh Kumar Singh, aged about 26 years, R/o Shitla Ward, Ambikapur, Police Station & Tahsil Ambikapur, District Surguja (C.G.)

---- Non-applicants

For Applicants : Shri A.K. Prasad, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

12/10/2015

(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.704/2003 which was dismissed for want of prosecution vide order dated 17.04.2015.

(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 17.04.2015 when Second Appeal No.704/2003 was taken-up for hearing was based on bonafide grounds.

(6) Accordingly, M.C.C. No.810/2015 is allowed and Second Appeal No.704/2003 is restored to its original number.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-