

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 348 of 2016

Bhudhram Verma, S/o Shayam Lal Verma, Aged About 50 Years R/o Village Arjuni, Tahsil Baloda Bazar, District Raipur (Now Balodabazar-Bhatapara) (Chhattisgarh).....(Defendant)

---- Appellant

Versus

Minor Kumari Payal D/o Dinesh Verma, Aged About 9 Years Through Legal Guardian And Second Guardian Grand Father Shyamlal, S/o Bisru Verma, Aged About 75 Years, R/o Village Maldi Thasil Bhatapara, District Raipur (Now Balodabazar-Bhatapara) (Chhattisgarh)

---- Respondent

For Applicant :- Mr. Deepak Jain, Advocate
For Respondent/ State :- Mr. Neeraj Choubey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

04/08/2016

1. Heard on I.A. No. 01- which is an application for condonation of delay in filing the instant M.C.C.
2. The instant M.C.C is barred by limitation of 18 days.
3. On due consideration, as sufficient cause has been shown in not filing of the application for restoration within stipulated period, the I.A. No. 01 is allowed and the delay in filing of the application for restoration is condoned.
4. The applicant has filed the instant application for restoration of Second Appeal No. 200 of 2015 which was dismissed for want of prosecution on 18.02.2016.

5. Also heard on application for restoration of Second Appeal No. 200 of 2015, I am of the opinion that sufficient cause has been explained by the counsel for the applicants for his non-appearance on 18.02.2016.

6. Accordingly, the instant M.C.C. is allowed, order dated 18.02.2016 dismissing the Second Appeal No. 200 of 2015 for want of prosecution is hereby recalled and Second Appeal No. 200 of 2015 is restored to its original number.

7. No order as to costs.

8. A copy of this order be kept in the record of Second Appeal No. 200 of 2015.

Sd/-

(Goutam Bhaduri)
Judge