

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.316 of 2016**

Uchit Bai, D/o Kartikram Patel, aged about 60 years, By Caste Marar, R/o. Village Hatoud, Post Office Hatoud, Tahsil Kasdol, District Raipur (CG).

---- Applicant

Versus

1. Kruparam, S/o Shri Khublu Patel, aged about 50 years, By Caste Marar, R/o. Village Hatoud, P.H. No.05, Ra.Ni.M.Tahsil Kasdol, District Raipur (CG).
2. Bhagwat, S/o. Fulwa Patel, aged about 45 years, By Caste Marar, R/o. Village Hatoud, P.H.No.05, Ra.Ni.M. Tahsil Kasdol, District Raipur (CG).
3. State of Chhattisgarh, through the Collector, Raipur, District Raipur (CG).

---- Non-applicants

For Applicant	:	Shri Vivek Tripathi, Advocate
For Non-applicant No.1	:	Shri Sanjay Patel, Advocate
For Non-applicant No.3	:	Shri Sameer Behar, Panel Lawyer

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

22/07/2016

(1) Heard on I.A. No.01, application for condonation of delay in filing the MCC.

(2) On due consideration, I am satisfied that the applicant has succeeded in explaining the cause of delay in filing the MCC and, therefore, I.A. No.01 is allowed. Delay in filing the MCC is condoned.

(3) By way of this MCC, the applicant is seeking restoration of Second Appeal No.43/2013.

(4) For non-compliance of the peremptory order dated 28.02.2013 passed by this Court, applicant's appeal was dismissed by the office vide office note dated 31.08.2013.

(5) Considering the grounds taken in the application and submission made by the applicant, the MCC No.316/2016 is allowed and Second Appeal No.43/2013, which was dismissed for non-compliance of the Court order dated 28.02.2013 is restored to its original number, subject to payment of cost of Rs.2,000/- payable to learned counsel for respondents.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-