

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No. 463 of 2016**

Fakir Chand S/o. Ghanshyam Sahu, aged about 36 years, Caste Teli, R/o. Village Amlidih, Tahsil & PS Malkharaoda, District Janjgir Champa (CG)

---- Applicant

Versus

Smt. Salini Devi, W/o. Fakir Chand Sahu, aged about 34 years, Caste Teli, R/o. Bharat Bhawan, Tiwari Para, Haroad Nagar, PS Shivrinarayan, District Janjgir-Champa (CG)

---- Respondent

For appellant	: Shri Sumit Singh, Advocate.
For Respondent	: None.

Hon'ble Shri Justice Pritinker Diwaker
Hon'ble Shri Justice Chandra Bhushan Bajpai
Order on Board by Pritinker Diwaker, J.

28/06/2016

Counsel for the applicant submits that default as pointed out by the Office are minor in nature and he may be permitted to remove the same in the Court itself.

2. The Counsel is permitted to do so.
3. Heard.
4. The instant MCC has been filed within its limitation.
5. By filing the instant MCC, learned counsel for the applicant submits that the instant MCC is against the order dated 11.5.2016 passed in FAM No.105 of 2016 (Fakir Chand vs. Smt. Salini Devi) whereby and whereunder, the learned Court dismissed the appeal for

want of prosecution as no one represented the appellant when the case was called up for hearing.

6. On due consideration of the reasons mentioned in the petition, the same is allowed. FAM No.105 of 2016 dismissed for want of prosecution on 11.5.2016 is hereby restored to its original number. No order as to cost.

Sd/-
(Pritinker Diwaker)
Judge

Sd/-
(Chandra Bhushan Bajpai)
Judge