

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Civil Case No. 534 of 2016**

Chintu Ram S/o Late Mohini Satnami, Aged About 70 Years Mouja,
R/o- Kamrod, Tahsil And District- Durg, (Chhattisgarh)

---- Applicant**Versus**

Umedilal S/o Jhadooram Rahade, Aged About 52 Years R/o- Village-
Supela, Tahsil & District- Durg, (Chhattisgarh)

---- Non-applicant

For Applicant:

Mr. Anil Kumar Pandey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25.07.2016**

1. Heard on I.A. No. 1/2016 which is an application for condonation of delay in filing the present Miscellaneous Civil Case.
2. The present Miscellaneous Civil Case has been filed seeking for restoration of Second Appeal No. 155/1986 which was got dismissed on a virtue of pre-emptory order passed on 26.11.2002. The present Miscellaneous Civil Case has been filed as late as on 19.07.2016 with a delay of roughly 5000 days i.e. more than 13 years.
3. A perusal of the interlocutory application for condonation of delay shows that the only ground for condonation of delay that has been taken is a medical ground. The said application is not supported by any document to show that the Applicant was under medical treatment for these 13 years. Except for the medical ground, no other ground has been raised in the said application for showing cause of delay.

4. Taking into consideration the reasons assigned in the application which have not been supported by cogent document, and also the reasons assigned does not appear to be a plausible reason for delay of more than 13 years, thus this Court is of the opinion that no good case made out for condoning delay caused in filing the present Miscellaneous Civil Case.

5. Accordingly, I.A. No. 1 is rejected. Consequently, the present M.C.C. also stands rejected.

Sd/-
(P. Sam Koshy)
JUDGE