

HIGH COURT OF CHHATTISGARH, BILASPUR

ORDER SHEET

CRMP No. 1083 of 2016

Dharmendera Tamrakar S/o Late Prahalad Kumar Tamrakar Aged About 46 Years R/o Shikshak Nagar Tehsil & District Durg, Chhattisgarh. Present R/O - Hamal Para Ward No. - 23 Rajnandgaon, District Rajnandgaon Chhattisgarh.

---- Applicant

Versus

Sanjeet Kumar Vishwkarma S/o R.D. Vishwkarma Aged About 27 Years R/o Station Maroda, Police Station Newai, Tehsil & District Durg, Chhattisgarh.

---- Respondent

06/10/2016	Shri Avinash Sahu, Advocate for the applicant. The present application has been filed under Section 482 CrPC seeking for restoration of earlier CrMP No.427 of 2016 which got dismissed on account of peremptory order passed by this court on 28.06.2016. Learned counsel appearing for the applicant submits that this court had passed peremptory order on 28.06.2016, however, the applicant could not cure the defaults as pointed out by the Registry due to bonafide reasons. He further submits that on account of dismissal of CrMP No.427 of 2016, the applicant has been rendered remedy-less for assailing the order under challenge in the said CrMP. Considering the facts and circumstances of the case, this court is of the opinion that satisfactory explanation has been given for non removal of defaults within the time granted. Accordingly, present application is allowed and CrMP No.427 of 2016 is restored to its original number subject to applicant's curing the defaults pointed out by the Registry within a period of seven days starting from 17th October, 2016. List CrMP No. 427 of 2016 for further consideration in the week commencing 2nd November, 2016. Sd/- (P. Sam Koshy) JUDGE	

