

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 146 of 2016

Chamru S/o Ramnath, Aged About 45 Years Caste Kanwar,
Occupation- Agriculture, R/o Village Bulga, P.S. Dhavarpur, Tehsil
Lundra, District Surguja, Chhattisgarh

---- Applicant

Versus

1. Lauturam S/o Leshanram, Aged About 35 Years Caste Kanwar, R/o
Village Jarhadih, P. S. Dhavarpur, Tehsil Lundra, District Surguja,
Chhattisgarh
2. Bhansay S/o Leshanram, Aged About 30 Years Caste Kanwar, R/o
Village Jarhadih, P.S. Dhavarpur, Tehsil Lundra, District Surguja,
Chhattisgarh
3. The State Of M. P. (Now Chhattisgarh) Through Collector Surguja,
Chhattisgarh

---- Respondents

For Applicant :- Mr. Shakti Raj Sinha, Advocate
For Respondent/ State :- Mr. Anil S Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/07/2016

1. Heard on I.A. No. 01- which is an application for condonation of
delay.
2. The instant M.C.C is barred by limitation of 496 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 First Appeal No. 58 of 2004 which was dismissed for want of prosecution on 12.09.2014.

5. Also heard on application for restoration of First Appeal No. 58 of 2004, I am of the opinion that sufficient cause has been explained by the counsel for the applicants for his non-appearance on 12.09.2014.

6. Accordingly, the instant M.C.C. is allowed, order dated 12.09.2014 dismissing the First Appeal No. 58 of 2004 for want of prosecution is hereby recalled and First Appeal No. 58 of 2004 is restored to its original number.

7. No order as to costs.

8. A copy of this order be kept in the record of First Appeal No. 58 of 2004.

Sd/-

(Goutam Bhaduri)
Judge