

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.664 of 2016**

Firoz Khan, S/o late Abdul Ajj Khan, aged about 48 years, Daulat Pan Palac, beside the shop of Kikabhai, Malviya Road Raipur, Tahsil and District Raipur Civil and Revenue District Raipur.

---- Applicant**Versus**

Abdul Gaffar Khan, S/o late Majid Khan, aged about 88 years, R/o Baijnathpara, Raipur Tahsil and District Raipur (CG).

---- Non-applicant

For Applicant : Shri B.P. Sharma, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/09/2016**

(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.41/2016.

(4) For non-compliance of the peremptory order dated 22.06.2016 passed by this Court, applicant's appeal was dismissed by the office vide office note dated 01.09.2016.

(5) Considering the grounds taken in the application and

submission made by the applicant, the MCC No.664/2016 is allowed and Second Appeal No.41/2016, which was dismissed for non-compliance of the Court order dated 22.06.2016 is restored to its original number, subject to compliance of order dated 22.06.2016 within a week from today.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-