

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 787 of 2015**

1. Tulsi Ram S/o Ram Prasad, Aged About 49 Years Occupation-Teacher, R/o Gram Dhara, P. H. No.2, Block & Tahsil- Dongargarh, District- Rajnandgaon, Chhattisgarh
2. Shiv Ram S/o Ram Prasad Mochi, Aged About 40 Years Occupation-Teacher, Subhash Ward, Dongargarh, District- Rajnandgaon, Chhattisgarh(Applicants)

---- Applicants**Versus**

1. Narrottam S/o Gambhir, Aged About 62 Years Caste- Mochi, P. H. No.2, Block & Tahsil- Dongargarh, District- Rajnandgaon, Chhattisgarh
2. State Of Chhattisgarh, Through: The Collector, Rajnandgaon, District- Rajnandgaon, Chhattisgarh(Non - Applicants)

---- Respondents

For Applicants:	Mr. Bharat Rajput, Advocate
For Respondent No.1:	None though served.
For State:	Ms. Madhunish Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****22.01.2016**

1. Heard on I.A. No.1 of 2015 which is an application for condoning delay. There is delay of 583 days in filing the present M.C.C..
2. Counsel for the Applicants submits that inadvertently the earlier Counsel for the Appellants could not appear in the Second Appeal and because of which the Second Appeal got dismissed for want of

prosecution on 09.01.2014.

3. In the light of sufficient cause being shown in the application and the same is not opposed by the Counsel for the Respondents, I.A. No. 1 is allowed, delay in filing the present M.C.C. is condoned.

4. Also heard on application for restoration of the Second Appeal.

5. Considering the fact that sufficient cause has been explained for non appearance of the Counsel on 09.01.2014 in S.A. 623 of 2003 which was dismissed for want of prosecution, the present M.C.C. is allowed, the Second Appeal is restored to its original number.

6. No order as to costs.

Sd/-
(P. Sam Koshy)
JUDGE

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