HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 980 of 2015

Hariram S/o Sukhau, aged about 70 years, R/o Village- Kothari, Tahsil and District- Korba, Chhattisgarh

---- Applicant

Versus

1. Arjun S/o Late Suharam, aged about 66 years,
2. Anuj Ram S/o Late Suharam, aged about 55 years,
3. Laxmi Narayan S/o Ganesh Ram, aged about 50 years,
4. Indra Kumar S/o Pyare Lal, aged about 40 years,
5. Chandra S/o Ganesh Ram, aged about 50 years,
6. Kachra Bai D/o Late Guharam, aged about 60 years,

   All are R/o Village- Kothari, Tahsil and District- Korba, Chhattisgarh

7. State of Chhattisgarh, through the Collector, Korba, Chhattisgarh

---- Respondents

19/08/2016	Shri Lalit Jangde, counsel for the applicant. Shri Ashutosh Shukla, counsel for the respondent No. 1 to 6. Ms. M. Asha, Panel Lawyer for the State. Heard. The Second Appeal No. 245 of 2013 got dismissed for want of prosecution on 10.06.2013. MCC No. 756 of 2013 was filed seeking for restoration of the said second appeal. This Court on 23.07.2013 allowed MCC No. 756/13 restoring the Second Appeal No. 245/13 subject to the payment of cost of Rs.1,000/- to the State Govt. to be paid within a period of 30 days. Since the applicant could not deposit the said amount of Rs.1,000/- within the stipulated period of 30 days, the	

second appeal could not be restored and later on, when the applicant went to deposit the amount, the authority concerned also refused to accept the same as the period of 30 days had passed. This led to the filing of this present MCC.

Counsel for the applicant prays for a short extention of time to comply the directives given by this Court in MCC No. 756/13 on 23.07.2013.

The said request has not been opposed by the respondents.

Accordingly, the present MCC stands allowed and the applicant is granted further period of seven days' time from today for depositing the cost imposed by this Court in MCC No. 756/13 on 23.07.2013.

In the event of the said cost amount is deposited by the applicant within the extended period, the Second Appeal No. 245 of 2013 would stand restored as ordered by this Court on 23.07.2013.

Certified copy today.

Sd/-
(P. Sam Koshy)
Judge

Bhola