

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Civil Case No.654 of 2016**

- Mool Chand Dewangan S/o Shri Hukum Chand Dewangan, Aged About 40 Years R/o Rajiv Chowk-Ward No.2 Tahsil Patan District Durg (Chhattisgarh) P.S. Patan (Durg)

---- Applicant**Versus**

- Branch Manager, Sri Ram General Insurance Co. Ltd. Ivth Story, Maruti Heights- Ge Road, Near Sky (Maruti) Dealer Mowa Bazar, Raipur, Police Station- Azad Chowk, District-Raipur (Chhattisgarh)

---- Respondent

For Applicant	: Shri CB Kesharwani, Advocate
For respondent	: None

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****16.9.2016**

Heard on IA No.01 of 16, application for condonation of delay in filing the instant MCC as the same has been preferred after 216 days of its limitation.

2. The applicant has preferred the instant MCC with a prayer to restore WP(227) 654 of 2015 which was dismissed for want of prosecution with liberty to revive vide order dated 18.11.2015. In the said writ petition, the respondent was not noticed and the Registry has pointed out the default for non payment of PF.

3. On due consideration of the reasons mentioned in the application, this Court has satisfied that the applicant has satisfactorily explained the delay in filing the instant MCC, hence, IA No.01/16 is allowed.

4. Also heard on instant MCC.
5. Perused the order dated 18.11.2015..
6. Learned counsel for the applicant submits that on account of bonafide mistake, he has deposited the process fee in another matter, i.e. WP(227) N0.162/2015. The applicant is praying that the said writ petition may be disposed of on its merits. By paying process fee bonadifely in the said WP (227) shows the bonafide of the applicant.
7. On due consideration, the instant MCC is hereby allowed. WP(227) No.654/2015 which was dismissed for want of prosecution vide order dated 18.11.2015 is hereby restored to its original number.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE