HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCC No. 669 of 2016

Ramadhin S/o Birjhu Rawat, Aged About 67 Years R/o Village- Purena, P.O. Purena, Tah. & P.S. Palari, Civil And Revenue District Raipur, Now Dist. Baloda Bazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

1. Gendlal S/o Late Dayal Jaiswal, Aged About 65 Years R/o Village & P.O. Baloda Bazar, Tahsil & P.S. Palari, Civil And Revenue District Raipur, Now Dist. Baloda Bazar-Bhatapara, Chhattisgarh

2. State Of Chhattisgarh, Through- Collector, Raipur, Now Baloda Bazar-Bhatapara, Chhattisgarh

–----Respondents

3/11/2016	Shri H.V. Sharma, counsel for the applicant. Shri Anant Bajpai, PL for the State. Shri Shree Kumar Agrawal, Sr. Advocate with Shri Anand Gupta, counsel for respondent No.1. Heard on application for condonation of delay in filing the restoration application. It is stated that because of the ill health of the counsel, counsel could not appear and as such appeal was dismissed. The appellant met counsel. This fact on enquiry it was revealed that appeal is dismissed, therefore delay in filing the restoration application may be condoned. Learned counsel for respondent No.1 opposes the same. On due consideration and for the reasons stated in the application, delay of 381 days in filing the restoration application is condoned.	

Also heard on application for restoration of F.A. No. 74/2015 which was dismissed for want of prosecution on 22/07/2015.

After going through the application which is supported by an affidavit, in my opinion reasonable grounds are made out for restoration.

Accordingly, MCC is allowed.

The order dated 22/07/2015 is recalled.

F.A. No. 74/2015 is restored to its original number.

Sd/-

(Goutam Bhaduri)

JUDGE

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