

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 309 of 2017**

- Smt. Nanda W/o Jagdish, Aged About 40 Years R/o 49-33-30, A Ramkrishna Nagar, Near Mathura Nagar, Vishakhapatna (A.P.) 530016, Presently Residing At Sector-9, Near Bazar, Bhilai, Tahsil And District Durg, Chhattisgarh

---- Applicant**Versus**

- Jagdish S/o A. Bairagi, Aged About 45 Years R/o 11/ D, Street No.27, Sector-5, Bhilai, Tahsil And District Durg, Chhattisgarh

---- Respondent

For Applicant : Shri CJK Rao, Advocate
Respondent not noticed.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****20.4.2017**

1. Heard on I.A.No.1/2017 for condonation of delay as the instant MCC has been preferred after 24 days of its limitation.
2. On due consideration for the reasons mentioned in I.A.No.1/2017, this Court is of the considered view that the applicant had satisfactorily explained the delay of 24 in filing the MCC. Consequently, I.A.No.1/2017 is allowed. Delay of 24 days is condoned.
3. Heard the matter finally.
4. Learned counsel for the applicant would submit that FA No. 71/2005 has been dismissed for want of prosecution on 10.2.2017 and on the said date, the respondent was also not represented.

5. On due consideration, the instant MCC is allowed without noticing to the respondent and FA No.71/2005 dismissed for want of prosecution on 10.2.2017 is restored to its original number.

6. The MCC is allowed.

Sd/

(Chandra Bhushan Bajpai)

JUDGE