

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 685 of 2017**

(Arising out of judgment/order dated 17.07.2017 in Case No. Arbitration No. 34 of 2007 of the learned Hon'ble Court)

M/s Suresh Kumar Goyal Engineer & Contractors, Shanti Bhawan, Fauji Gali, District Sarguja Through Shri Suresh Kumar Goyal Proprietor Chhattisgarh.

---- **Petitioner****Versus**

1. South Eastern Coal Fields Limited, through The General Manager, (Civil), South Eastern Coal Fields Limited, Seepat Road, Post Office SECL Bilaspur Chhattisgarh.
2. The Chairman cum Managing Director, South Eastern Coal Fields Limited, Seepat Road Post Office SECL Bilaspur Chhattisgarh.
3. The General Manager, South Eastern Coal Fields Limited Bhatgaon Area, District Sarguja Chhattisgarh.

---- **Respondents**

For Petitioner : Mr. Rahul Jha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board**19/09/17**

Heard on I.A. No. 01, application for condonation of delay in filing the M.C.C.

2. Upon due consideration the application (I.A. No. 01) is allowed and the delay in filing the M.C.C. is hereby condoned.
3. Also heard on application for restoration of Arbitration Application No. 34 of 2007.
4. The applicant is seeking restoration of Arbitration Application No. 34 of 2007 which was dismissed by this Court for want of prosecution vide order

dated 17.07.2017.

5. On due consideration of the submissions made by the learned counsel for the applicant and the grounds taken in the restoration petition, I am satisfied that the absence of the applicant's counsel on 17.07.2017, when the Arbitration Application No. 34 of 2007 was taken up for hearing, was based on *bonafide* grounds.

6. The M.C.C. No. 685 of 2017 is, therefore, allowed and the Arbitration Application No. 34 of 2007 is restored to its original number subject to payment of cost of Rs. 5000/- (Five Thousand Only) to the High Court Legal Aid Committee within ten days from today.

SD/-

(Sanjay K. Agrawal)

Judge