

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 110 of 2017**

Reliance General Insurance Company Limited , Branch Office, 4th Floor, Shop No. 412-413, Ravi Bhawan, Jaistambh Chowk, Raipur, At Present- 5th Floor, National Corporate Park, G.E.Road, P.S. Saraswati Nagar, Civil And Revenue District Raipur, Chhattisgarh
(Insurer Of Bus No. C.G.-07-E-0814)

---- Appellant**Versus**

1. Smt. Mehmooda Begam Wd/o Late Sattar Khan, Aged About 46 Years
2. Idrish Khan S/o Late Sattar Khan, Aged About 23 Years
3. Jubeda Bano D/o Late Sattar Khan, Aged About 18 Years
4. Imteyaj B. W/o Usman Khan, Aged About 65 Years
5. Usman Khan S/o Late Ramjan Khan, Aged About 68 Years

R/o Adarsha Nagar, Behind Girls Hostel, Kawardha, Dist. Kabirdham, Police Station Kabirdham, Chhattisgarh(Claimants)

6. Mohd. Rafique S/o Pyare Mohammed, Aged About 35 Years R/o Kelabadi, Durg, Police Station Durg(Driver Of Bus No. C.G.-07-E-0814)
7. M/s Durg Roadways Pvt. Ltd., Office- Bus Stand, G.E. Road, Durg Police Station Durg, Chhattisgarh(Owner Of Bus No. C.G.-07-E-0814)

---- Respondents

For applicant	:	Mr. Rohitaswa Singh, Adv. under authority of Mr. N.K. Thakur, Adv.
For Respondents	:	not noticed.

ORDER**3-2-2017**

1. Heard on I.A. No. 1/2017 for condonation of delay as the instant MCC has been preferred after 38 days of its limitation.
2. On due consideration, for the reasons mentioned in the I.A. No. 1/17 and the arguments advanced, this Court is of the view that the applicant has satisfactorily explained the cause of delay. Therefore I.A. No. 1/17 is allowed. Delay in filing the instant MCC is condoned.
3. Also heard the matter finally.
4. The applicant has filed instant MCC for restoration of MAC No. 736/2016 which was dismissed on a peremptory order dated 26-

10-2016.

5. Learned counsel for the applicant submits that respondents were not noticed in the said MAC. He is ready to remove the default as pointed out by the Registry in the said MAC within 14 days from today and the instant MCC may be disposed of in terms of the submission made above.
6. On due consideration, instant MCC is hereby allowed. MAC No. 736/2016 dismissed on a peremptory order dated 26-10-2016 is restored to its original number subject to the condition that the applicant shall remove the default in the said MAC within 14 days from today. If the default is removed as directed, the MAC be restored to its original number. If the default is not removed within the stipulated period given by this Court then this order shall loose its efficacy regarding restoration of the said MAC.
7. With this condition, instant MCC is hereby allowed and disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Judge