

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 208 of 2017**

- Tulsi Ram Sahu S/o Late Shri Bishnath Sahu, Aged About 57 Years Agriculturist, R/o Village Bhawanipur, R.I. And Circle And Tehsil Palari, District Raipur, Chhattisgarh

---- Applicant**Versus**

1. State of Chhattisgarh Through: The Collector Raipur, District Raipur, Chhattisgarh
2. The Tahsildar, Tehsil Palari, District Raipur, Chhattisgarh

---- Respondents

For Applicant	:	Shri MD Sharma, Advocate
For Respondents-State	:	Shri UNS Deo, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****08/03/2017****I.A. No.1**

This is an application for condonation of delay in filing the restoration application.

Although the principle in terms of Section 5 of the Limitation Act seeking condonation of delay in filing the restoration application is not applicable to a writ proceeding as held by this Court in **Smt. Jyoti Vs. General Manager, Canara Bank {MCC 591/2016}**, however, the explanation offered in the application explaining delay and laches deserves to be accepted.

On due consideration and for the reason that on the date when the writ petition came up for hearing, the counsel was on adjustment, the delay and laches

has been satisfactorily explained.

M.C.C. No.208 of 2017

This is an application for restoration of WP No.1295/2004 which was dismissed for want of prosecution vide order dated 25.10.2010.

On due consideration and for the reasons mentioned in the restoration application, it is allowed and WP No.1295/2004 is directed to be restored to its original number.

Sd/-

Judge

Prashant Kumar Mishra

Ashu