

HIGH COURT OF CHHATTISGARH, BILASPUR
M.C.C. No. 312 OF 2017

Ramesh Kumar S/o Gopal Das, Aged About 33 Years R/o Devri, Tahsil Daundi-Lohara, District Durg, Chhattisgarh

---- Applicant

Versus

1. Samsan S/o Dhan Singh, Aged About 58 Years
2. Rajesh Singh S/o Samsan, Aged About 38 Years
Both R/o Village Devri, Tahsil Daundi-Lohara, District Durg, Chhattisgarh
3. State Of Chhattisgarh, Durg, District Durg, Chhattisgarh

---- Non-applicants

For Applicant	:	Mr. Manish Upadhyay, Advocate.
For Non-applicant/State	:	Mr. R.K. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Sanjay Agrawal

Order On Board

20/04/2017

Heard on admission.

1. This MCC has been preferred for restoration of Second Appeal No.71 of 2015, which was dismissed for want of prosecution by this Court vide order dated 21.3.2017.
2. Learned counsel for the applicants submits that on the said date, when the second appeal was listed for hearing on admission, he could not locate his case in the cause list. Because of this, he could not appear on the said date. The said mistake was committed bonafidely and was not in an ulterior motive and therefore, the application may kindly be allowed.
3. On due consideration of the reasons mentioned in the application and the submission made by learned counsel for the applicant, the same is allowed. Second Appeal No.71 of 2015 is restored to its original number.

Sd/-

(Sanjay Agrawal)
Judge