

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 514 of 2017**

ICICI Lombard General Insurance Co. Limited through its Legal
Manager, ICICI General Insurance Co. Ltd., B.R. Plaza, Link
Raod, Bilaspur, Chhattisgarh

---- Appellant /Applicant**Versus**

1. Dhramdas S/o Niranjan Das Aged About 44 Years R/o Village Banhar, Post Office Goda, Tehsil Sarangarh, District Raigarh (Claimant)
2. Anil Kumar Singh S/o Triveni Singh Aged About 47 Years R/o Naharpali, Raigarh, Tehsil And District Raigarh, Chhattisgarh (Driver and wwner vehicle registration Number CG 13 UA 1336)

---- Respondents

For applicant	:	Mr. P. Acharya, Adv.
For Respondents	:	Not noticed

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****31-7-2017**

1. Heard on I.A. No. 1/2017 for condonation of delay as instant MCC has been preferred after 165 days of its limitation.
2. On due consideration as the applicant has satisfactorily explained the delay of 165 days in filing the instant MCC, I.A. No. 1/2017 is hereby allowed. Delay in filing the MCC is condoned.
3. The matter is admitted for hearing.
4. Learned counsel for the applicant submits that as the respondents were not represented when the MAC No. 1669/2016 was taken for hearing on 15-12-2016, hence the matter may be heard even without noticing to respondents.
5. On due consideration, heard the matter finally.
6. It is submitted on behalf of the applicant that MAC No. 1669/2016

was was dismissed on a peremptory order dated 15-12-2016.

The default is already removed but after the stipulated time granted vide order dated 15-12-2016. Statement is recorded.

7. On due consideration, instant MCC is hereby allowed on the submission that the default is already removed. With this submission, MAC No. 1669/2016 dismissed on the peremptory order dated 15-12-2016 is restored to its original number. Needless to mention that if the default is not removed in the MAC No. 1669/2016 as submitted, the order passed in the instant MCC shall loose its efficacy.
8. MCC is allowed.

Sd/-
(Chandra Bhushan Bajpai)
Judge