

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 53 of 2017

The Oriental Insurance Company Limited Through Its Divisional Manager, Divisional Office, 2nd Floor, Hotel Amar Palace, Phoolbag Chouraha Gwalior (M.P.) Through: Branch Office- Near Rajendra Park Chowk, Old R.T.O. Building Durg, Chhattisgarh(Non-Appellant No.3)

---- Applicant/Appellant

Versus

1. Indrajeet Singh S/o Deep Singh Alias Dev Singh, Aged About 40 Years R/o Baspara, Durg, Zilla- Durg, Chhattisgarh(Claimant No.1)
2. Bhura Pandit S/o Bala Prasad Pandit, Aged About 35 Years R/o Kesharwani Colony, Ward No.14, Murana, Zila- Murana (M.P.) Driver Of Truck Bearing Registration No. M.P./07- H.B./1756(Non-Appellant No.1)
3. Abhishek Sharma S/o Suresh Sharma, R/o Laxmipuram, Transport Nagar Gwalior (M.P.) Owner Of Truck Bearing Registration No. M.P./07- H.B./1756(Non-Appellant No.2)

---- Respondents

For Applicant : Smt. Chitra Shrivastava, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/03/2017

1. Heard on I.A. No.1, application for condonation of delay in filing restoration application (MCC).
2. Upon due consideration, the application (IA No.1) is allowed. Delay in filing MCC is condoned.
3. Heard on prayer for restoration of MAC No.947 of 2015. The appeal was dismissed without further reference to the Bench on account of non-compliance of peremptory order passed on 5.8.2016.
4. In the cause shown in the application (MCC) for restoration, it is submitted that

as the applicant could not collect the details of respondents No.2 & 3 within time, the default could not be removed.

5. Considering the submission made, the order of dismissal passed on 5.8.2016 in MAC No.947 of 2015 is hereby recalled and the appeal is restored to its original number subject to the condition that the applicant/appellant shall now positively collect the correct address of respondents No.2 & 3 and submit the same within four weeks.
6. The application (MCC) is accordingly disposed off.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Praveen