

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 67 of 2017

- Daneshwar Dubey S/o Shri K.B.Dubey, Aged About 46 Years, R/o House No.4-A, St.- Avenue-E, Sector-6, Bhilai, Dist. Durg, Chhattisgarh

---- Petitioner

Versus

1. The New India Assurance Co. Ltd. Through: The Divisional Manager, New India Assurance Co. Ltd. Division Office, Thakker Chamber G.E.Road, Power House, Bhilai, District Durg, Chhattisgarh, Pin 490001
2. The Insurance Regulatory And Development Authority, Through: The Regional Manager, The Insurance Regulatory And Development Authority Regional Office (450000) Paryavas Bhawan, 2nd Floor, Block No.3, Arera Hills, Bhopal (M.P.)

---- Respondents

For Petitioner : Shri Shailendra Bajpai, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/02/2017

1. Heard.
2. I.A. No. 1/2017, which is an application for condonation of delay.
3. The ground mentioned in the delay application that earlier the case was dismissed for want of prosecution was not known to the petitioner as there was no information with him by the counsel and when he contacted his counsel and enquiry was made it was found that the case was already dismissed for want of prosecution and therefore he may be granted one opportunity to contest the case.
4. Taking into consideration the ground urged in the application, I am inclined to condone the delay and recall the earlier order of dismissal of the case for want of prosecution and to restore its original number W.P.(C) No. 3396/2008 subject to depositing an amount of Rs.150/- in favour of High Court Legal Aid Committee, Bilaspur.

Sd/-

(Manindra Mohan Shrivastava)

Judge