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HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.51 of 2017**

1. Ramadhar Verma S/o Late S.D. Verma, Aged About 70 Years Retired Deputy Ranger, Bhanupratappur Division, Kanker Circle, R/o Govindpur, P.S. Govindpur, Distt. Kanker, Chhattisgarh
2. Abdul Samad Khan S/o Late M.D.Khan, Aged About 70 Years Retired Deputy Ranger, Kanker Division (Federation), Kanker Circle R/o Samad Cycle Store, Main Road Kanker, P.S. Kanker, Distt. Kanker, Chhattisgarh
3. Yugal Kishor Choubey S/o Late Chandra Kumar Choubey, Aged About 70 Years Retired Deputy Ranger, Kanker Division & Circle, R/o P.O. Bhanbeda, P.S. Bhanbeda, Distt. Kanker, Chhattisgarh
4. R.B.S. Sengar S/o Late Shravan Singh Sengar, Aged About 70 Years Retired Deputy Ranger, Kanker Division & Circle, R/o Korar, P.S. Korar, Distt. Kanker, Chhattisgarh

---- Applicants**Versus**

1. State Of Chhattisgarh Through The Principal Secretary, Department Of Forest, Mahanadi Bhawan, New Raipur, P.S. Mantralaya, Raipur, Chhattisgarh
2. Chief Conservator Of Forest, Jail Road, Aranya Bhawan, P.S. Civil Lines, Raipur, Chhattisgarh
3. Conservator Of Forest, P.S. Kanker, Distt. Kanker, Chhattisgarh

---- Non-applicants

For Applicants : Mr. Syed Majid Ali, Advocate
 For State : Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

27/01/2017

(1) Heard on I.A. No.01 i.e. application for condonation of delay in filing the MCC.

(2) On due consideration, I am satisfied that the applicants have

succeeded in explaining the cause of delay in filing the MCC and, therefore, I.A.No.01 is allowed. Delay in filing the MCC is condoned.

(3) Learned counsel for the applicants is heard on restoration application.

(4) The applicants are seeking restoration of WP No.3885/2004 which was dismissed for want of prosecution vide order dated 19.10.2016.

(5) On due consideration of the submissions of the learned counsel for the applicants and the grounds taken in the restoration application, I am satisfied that the absence of the applicants' counsel on 19.10.2016 when WP No.3885/2004 was taken-up for hearing was based on bonafide grounds.

(6) Accordingly, M.C.C. No.51/2017 is allowed and WP No.3885/2004 is restored to its original number subject to payment of cost of Rs.7,500/- payable to the High Court Legal Aid Committee within a period of 15 days from today.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-