

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.C.C. NO. 711 OF 2016

The Oriental Insurance Company Limited, Division Office, Geetanjali Bhawan,
Main Road, Korba, through its Divisional Manager, Divisional Office, Bilaspur
(C.G.)

... Applicant

Versus

1. Dadu Ram, aged about 27 years, S/o Gokul Prasad, at present R/o Dhelwadig House No. 532, P.S. & Tahsil, Katghora, District Korba (C.G.), permanent R/o Village Kasaipali, P.S. Dipka, Tahsil- Katghora, District Korba (C.G.)
2. Abdul Shameem, S/o Abdul Shamad, R/o Puchchpara, Tahsil and P.S. Katghora, District Korba (C.G.)
3. Pawan Kumar Agrawal, S/o Shri Om Prakash Agarwal, R/o Vinobha Nagar, Bilaspur, District Bilaspur (C.G.)

... Non-applicants

For Applicant : Mr. Raj Awasthi, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/02/2017

1. Heard on I.A. No.1 of 2016, which is an application for condonation of delay in filing the present application which has been filed with a delay of 648 days.
2. Learned Counsel for the Applicant submits that it is a case where the present application has been filed seeking restoration of Misc. Appeal (C) No. 625 of 2013 which got dismissed vide peremptory order dated 24.9.2014 passed by this Court. According to him, in the original appeal i.e., Misc. Appeal (C) No. 625 of 2013, this Court had ordered for issuance of notice to the Respondents and the Appellant was directed to pay the process fee which could be made within a period prescribed and subsequently there was a change of Counsel in the said appeal and the matter could not be verified by the subsequent Counsel.
3. For the reasons assigned in the said application and finding them to be satisfactory, I.A. No.1 of 2016 is allowed.

4. Heard on the application for restoration of Misc. Appeal (C) No. 625 of 2013.
5. Taking into consideration the factual details explained by the Counsel for the Applicant and finding them to be satisfactory, the present application is allowed.
6. Consequently, the Misc. Appeal (C) No. 625 of 2013 is restored to its original file for further consideration. No order as to costs.

Sd/-
(P. Sam Koshy)
Judge

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