

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.84 of 2017**

Visheshvar Narayan Dwivedi (Name Not Completely Mentioned In The Impugned Order) S/o Balram Prasad, Aged About 50 Years, R/o Shivrinarayan, Tehsil Navagarh, Civil And Revenue District Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

1. Nayak Banjara Vikas Samiti Through Its President Ghasiram Nayak, Aged About 52 Years, S/o Late Gambhir Nayak, R/o Tikrapara, Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh
2. State Of Chhattisgarh, Through Collector, District Janjgir-Champa, Chhattisgarh

---- Non-applicants

For Applicant : Mr. Vimlesh Bajpai, Advocate
 For State : Mr. Dhiraj Wandheke, Govt. Advocate

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

30/01/2017

(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 applicant has 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 applicant is heard on restoration application.

(4) The applicant is seeking restoration of M.A. No.15/2014 which was dismissed for want of prosecution vide order dated 08.11.2016.

(5) On due consideration of the submissions of the learned counsel for the applicant and the grounds taken in the restoration application, I am satisfied that the absence of the applicant's counsel on 08.11.2016 when M.A. No.15/2014 was taken-up for hearing was based on bonafide grounds.

(6) Accordingly, M.C.C. No.84/2017 is allowed and M.A. No.15/2014 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/-