

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (227) No. 538 of 2015**

Padum Yadav S/o Ramlal Yadav Aged About 30 Years R/o Rapakherwa,
Now Ward No. 21, Manendragarh, District Koriya Chhattisgarh.

---- **Petitioner**

Versus

Bagwaniya @ Seema W/o Padum Yadav Aged About 25 Years D/o Kedar
Yadav At Presently R/o Karhipara, Paradol, Thana Jhagrakhand, Tahsil
Manendragarh, District , Koriya Chhattisgarh.

---- **Respondents**

- For Petitioner	:	Shri Parag Kotecha, Advocate.
For Respondent	:	Shri Nishikant Sinha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14.12.2018

1. By the impugned the trial Court has rejected an application for restoration of the suit filed by the plaintiff finding no sufficient cause, against which, this writ petition has been preferred.
2. I have heard learned counsel for the parties.
3. Plaintiff/petitioner suit for restitution of conjugal rights was dismissed on 11.02.2015 and application for restoration was filed on 13.03.2015 with delay of one day for which the trial Court has also held that delay of 1 day no such application has been filed for condoning the delay.
4. After hearing the learned counsel for the parties and going through the finding recorded by the trial Court on appeal and sufficient cause has been shown for not appearing the case for called up for that the sufficient cause has to be considering liberally.
5. In view of the above, the order of the trial Court is set aside and the suit filed by the plaintiff is restored for hearing and disposed off in accordance with law.
6. Since, the suit was filed on 02.12.2014, therefore, It would be expedient to direct the trial Court to conclude the trial within a period of six months from the date of receipt of certified copy of this order. Ordered accordingly.
7. With the aforesaid observation and direction, the writ petition stands finally disposed off.
8. A copy of this order be sent to the concerned trial Court directly and through District Judge concerned.

Sd /-
(Sanjay K. Agrawal)
Judge