

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 47 of 2018**

Proprietor Krishna Auto Rider Pvt. Ltd., Modi Road, Korba, District Korba (Chhattisgarh), Local Office Krishna Auto Riders Pvt. Ltd., Manendragarh road, Ambikapur, District Surguja (Chhattisgarh) Through Its Branch Manager, Dipesh Sinha S/o Shri Sunil Sinha, Aged About 30 Years, Local office Krishna Auto Riders Pvt. Ltd., Manendragarh Road, Ambikapur, District Surguja (Chhattisgarh).

---- Appellant**Versus**

1. Ramdeel Rajwade S/o Late Cheutha Ram Rajwade, Aged About 44 Years.
2. Sirmen Bai W/o Ramdeel Rajwade, Aged About 40 Years.
Both are R/o Village Sundarganj (Khonchapara), PS Jainagar, Tahsil Surajpur, District Surajpur (Chhattisgarh) At Present R/o Keshawpur, P.S. And Tahsil Ambikapur, District Surguja (Chhattisgarh).
3. Pankaj Tiwari S/o Rajendra Nath Tiwari, Aged About 28 Years, R/o In Front Of Punjab Garden, Gandhi Nagar, Ambikapur, District Surguja (Chhattisgarh).
4. Bajaj Allianz General Insurance Company Ltd. Through Its Branch Manager, Plot No.102, Indira Commercial Company, Beside Natraj Hotel, T.P. Nagar, Korba, District Korba (Chhattisgarh).

---Respondents

For appellant : Shri Anurag Singh, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****31/01/2018**

1. Heard on I.A.No.1, which is an application for condonation of delay.
2. Finding the reasons assigned in the said application to be satisfactory, I.A.No.1 is allowed and delay of 56 days in filing the appeal stands condoned.
3. Present MCC has been filed seeking for restoration of MAC No.1003/2016 which got dismissed on a peremptory order passed by this Court on 03/10/2017.
4. The counsel for the appellant submits that, the condition imposed in the order passed by this Court on 03/10/2017 was infact honored promptly, but the receipt of deposit could be filed in the Court within time which led to the dismissal of the appeal. He also shows the receipts of the deposit having being made on 05/10/2017.
5. For the reasons assigned in the application and finding them to be satisfactory, the MCC deserves to be and is accordingly allowed.
6. MAC No.1003/2016 stands restored to its original number.
7. No order as to costs.

Sd/-
(P. Sam Koshy)
Judge