

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.983 of 2017**

M/s Navbharat Explosive Company Limited Through Managing Partner
Shri Vishal Singh, Aged About 38 Years, S/o Shri V.K.Singh,
Navbharat Udyog Bhawan, Telibandha Chowk Raipur, District Raipur,
Chhattisgarh

---- Applicant**Versus**

1. M/s Prithvi Resources, Bhagidari Firm Through Bhagidar
Gurjeet Singh Garcha, S/o Late Puran Singh Garcha, Civil Line,
Raipur, Chhattisgarh
2. Laxman Jaidev Satpathy (Sole Arbitrator), Advocate, Katora
Talab Raipur, District Raipur, Chhattisgarh

---- Non-applicants

For Applicant : Mr. Chandresh Shrivastava, Advocate
For Non-applicants: Mr. Malay Kumar Bhaduri, Advocate

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

04/01/2018

(1) Heard on I.A. No.01, an 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 Arbitration Appeal

No.51/2015 which was dismissed for want of prosecution vide order dated 03.11.2017.

(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 03.11.2017 when Arbitration Appeal No.51/2015 was taken-up for hearing was based on bonafide grounds.

(6) Accordingly, M.C.C. No.983/2017 is allowed and Arbitration Appeal No.51/2015 is restored to its original number subject to payment of cost of Rs.5,000/- to the High Court Legal Aid Committee within a period of 15 days from today.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-