

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 919 of 2017

1. J. K. Tiwari S/o Late Ramnath Tiwari Aged About 57 Years R/o Ravigram Raipur, Tahsil And District- Raipur, Chhattisgarh.(Applicant)

---- Applicant

Versus

1. Sarla Tiwari s/o Late T. N. Tiwari Aged About 41 Years
2. Himanshu Tiwari Aged About 17 Years
3. Ku. Sandhya Tiwari Aged About 15 Years
4. Ku. Sheela Tiwari Aged About 12 Years

Respondents 2 to 4 are Minors Through Legal Guardian Respondent No. 1

5. Smt. Sonali Tiwari W/o Raghunath Tiwari Aged About 59 Years
6. Raghunth Prasad Tiwari, aged about 60 years, S/o Shri Ram Swayambar Tiwari

All residents through Sarita Dubey, Nehru Nagar, Jalgrih Marg, Raipur (CG)

7. The Secretary, Public Works Department, Rashtriya Rajmarg No. 200, Central Secretariat, New Delhi
8. State Of Chhattisgarh, Through Collector, Raipur, Chhattisgarh

---- Respondents

For applicants	: Ms Priya Mishra, Advocate
For Respondent/State	: Shri RK Gupta, Dy Advocate General
For Respondents- 1-6	: None appears though served
For Respondents- 7 and 8	: Shri PN Bharat, Additional Advocate General

**Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Shri Justice Sharad Kumar Gupta**
Judgment on Board by Manindra Mohan Shrivastava, J.

21.03.2018

- 1) Heard the learned counsel for the parties for restoration of First Appeal- 6 of 2010.

2) After due consideration of the cause shown in the application (IA-1 of 2017), we are inclined to condone the delay in filing the MCC and after having gone through the reason assigned in the MCC for recall of the order of dismissal for want of prosecution, the said order is recalled and First Appeal- 6 of 2010 is restored to its original number, subject to applicant depositing cost of Rs.200/- with the High Court Legal Aid Committee.

Sd/-
(Manindra Mohan Shrivastava)
JUDGE

Sd/-
(Sharad Kumar Gupta)
JUDGE

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