

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No. 304 of 2018**

1. Mangal Sahu, son of Parsadi Sahu, aged about 60 years,
2. Ramdas Sahu, son of Parsadi Sahu, aged about 55 years,
3. Ishwar Sahu, son of Parsadi Sahu, aged about 50 years,

All residents of Village Thuha, Post Marod, Tehsil Bhakhara, District Dhamtari (C.G.)

----Applicants**Versus**

1. Itwari, son of Halalkhor Nagarchi, aged about 55 years,
2. Pyarelal (deleted)
3. Ratanlal, son of Ramprasad Nagarchi, aged about 50 years,
4. Ramlal, son of Ramprasad Nagarchi, aged about 49 years,

No. 1 to 4 are residents of Village Thuha, Post Marod, Tehsil Bhakhara, District Dhamtari (C.G.)

5. State of Chhattisgarh, through the Collector, District Dhamtari (C.G.)

---- Respondents

For Petitioner	: Mr. B.P. Sharma & Mr. Hari Agrawal, Advocate.
For Respondents No. 1 to 4	: Mr. H.B. Agrawal, Senior Advocate with Mrs. Prabha Sharma, Advocate.
For Respondent No. 5	: Mr. Dilman Rati Minj, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/06/2018**

- (1) Heard on restoration application.
- (2) Counsel for the petitioner submits that the writ petition (227) No. 4857 of 2008 may

be restored subject to cost.

(4) The petitioner is seeking restoration of Writ Petition (227) No. 4957 of 2008 which was dismissed for want of prosecution vide order dated 04.12.2017

(5) On due consideration of the submission of the learned counsel for the petitioner and the grounds taken in the restoration petition, I am satisfied that the absence of the petitioner's counsel on 04.12.2017 when Writ Petition (227) No. 4957 of 2008 was taken-up for hearing was based on *bona fide* grounds.

(6) M.C.C. No. 304/2018, therefore, is allowed and Writ Petition (227) No.4957 of 2008 is restored to its original number subject to payment of cost of Rs.3,000/- to respondents No. 1 to 4.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

