

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No.569 of 2017**

Vishwajit Behra, S/o Shri Damodhar Behra, aged about 35 years, R/o Baitari, Tahsil Saraipali, District Mahasamund (CG).

---- Applicant**Versus**

Smt. Rita Behra, W/o Vishwajit Behra, aged about 27 years, R/o Village Puita, Police Station Sadar Balangir, District Balangir (Orissa).

---Non-applicant

For Applicant : Mr. Vivek Kumar Tripathi, Advocate
For Non-applicant : Mr. Rajeev Kumar Dubey, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****02/07/2018**

(1) Learned counsel appearing for the applicant is heard on restoration application.

(2) The applicant is seeking restoration of FAM No.136/2011 which was dismissed for want of prosecution vide order dated 12.07.2017.

(3) Looking to the facts and circumstances of the case and reasons stated in the restoration application, I am satisfied that the absence of the applicant's counsel on 12.07.2017 when FAM No.136/2011 was taken-up for hearing was based on bonafide grounds.

(4) Accordingly, M.C.C. No.569/2017 is allowed and FAM No.136/2011 is restored to its original number.

Sd/-
(Sharad Kumar Gupta)
Judge

L/-