

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 331 of 2018**

Naresh Kumar Barley S/o Late Mahetram Barley Aged About 37 Years R/o Village Akoli, Post Khudmuda, Police Station Berla Tahsil Bemetara District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

1. Rajesh Das Manikpuri S/o Vishaldas Manikpuri Aged About 30 Years Occupation Driver , R/o Village Muraithi, Police Station Dharsinwa Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Mayarm Yadu S/o Vishveshwar Yadu Aged About 46 Years R/o Village Muraithi Post Siltara Police Station Dharsinwa Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Oriental Insurance Company Ltd. Through Divisional Manager, Divisional Office No. 1 , Kachhahari Chowk, Jail Road , Raipur Chhattisgarh Policy No. 9581, Policy Year 2008 Development Officer Code 34, District : Raipur, Chhattisgarh

---- Respondents

For Applicants : Shri Akhilesh Mishra, Advocate
 For Respondents 1 and 2 : None
 Respondent No.3 is the insurance company.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Rajani Dubey****Order On Board****08/08/2018****Per Manindra Mohan Shrivastava, J.-**

Heard on application for condonation of delay in filing MCC.

Taking into consideration the cause shown in the application, we are inclined to allow the application for condonation of delay in filing MCC.

The appeal filed by the claimants was dismissed for want of prosecution. The

appeal of the claimants was listed before this Court on 20/10/2011, however, the same was dismissed for want of prosecution.

Having gone through the contents of the application, we are satisfied that sufficient cause is shown for non-appearance. Therefore, we are also inclined to restore the appeal and allow the MCC.

Accordingly, MCC is allowed. The order of dismissal for want of prosecution is recalled and claimant's appeal is restored to its original number.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge