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HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 346 of 2018**

1. Budhardas Dahariya Pardeshi Dahariya Aged About 60 Years R/o Village Akoli, Post Khumuda, P. S. Berla, Tahsil Bemetara, Distt. Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Kumari Erlin, Budhardas Dahariya, Aged About 16 Years Minor, R/o Village Akoli, Post Khumuda, P. S. Berla, Tahsil Bemetara, Distt. Durg, Chhattisgarh., District : Durg, Chhattisgarh
3. Harish Dahariya, Budhardas Dahariya, Aged About 14 Years Minor, R/o Village Akoli, Post Khumuda, P. S. Berla, Tahsil Bemetara, Distt. Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicants

Versus

1. Rajesh Das Manikpuri Vishaldas Manikpuri, Aged About 30 Years Occupation- Driver, R/o Village Muraithi, P. S. Dharsinwa, Tahsil And District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Mayarm Yadu, Vishveshwar Yadu Aged About 38 Years R/o Village Muraithi, Post Siltara, P. S. 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 19/11/2010, 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