

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 8 of 2018**

- Insurance Compnay The Oriental Insurance Company Limited,
Branch Office, Aadarsh Bal Mandir, Main Road, Dhamtari, Tehsil,
Thana And District Dhamtari, Chhattisgarh

---- Petitioner

Versus

1. Laxmi Bai D/o Late Sadhuran, Aged About 40 Years R/o
Bhattipara, Shanti Nagar, Kanker, District Kanker, Chhattisgarh
2. Vehicle Driver/ Vehicle Owner Rupendra Jain S/o Fulchand Jain,
Aged About 31 Years Caste Kalar, R/o Village Kanapod, Thana &
Tehsil Charama, District Kanker, Chhattisgarh

---- Respondent

For Petitioner	Shri Sudhir Agrawal, Advocate.
For Respondents	None

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****11/01/2018**

1. Heard.
2. In M.A.C. No. 562 of 2010, an order was passed on 16.06.2010 that the applicant/appellant shall make deposit of amount as required under Section 173 of the Motor Vehicles Act, 1988 within 2 weeks, failing which the appeal shall stands dismissed without reference to the Court.
3. Registry has treated the appeal as dismissed for non compliance of the peremptory order, however, learned counsel would draw attention of the Court to the application for taking document on record and the documents filed therewith on 25.06.2010 to substantiate that the required deposit was made on 21.06.2010

itself, therefore, not only the deposit was made but the proof of deposit was also submitted before the High Court within 2 weeks, therefore, the Registry has wrongly dismissed the appeal for non compliance.

4. After hearing learned counsel for the applicant and on perusal of papers, this Court is satisfied that applicant/appellant had complied the order passed by this Court on 16.06.2010, therefore, M.A.C. No. 562 of 2010 deserves to be and is restored to its original number.
5. Accordingly, the MCC stands disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Akhilesh