

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 538 of 2018

Mohan Mittal S/o Late Shri Banarsidas Mittal Aged About 42 Years Occupation-Business, Jhawar Gudakhu Factory Main Road Lailunga, Tahsil-Lailunga District-Raigarh, Civil And Revenue District- Raigarh, Chhattisgarh.....(Plaintiff),
District : Raigarh, Chhattisgarh

---- Applicant

Versus

1. Anand Agrawal S/o Late Gajanand Agrawal Aged About 40 Years Occupation-Business, Agrawal Gudakhu Factory, Kharsia, Tahsil- Kharsia, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
2. Murlidhar Agrawal S/o Late Late Gajanand Agrawal Aged About 50 Years Occupation-Business, Agrawal Gudakhu Factory, Kharsia, Tahsil- Kharsia, Distirct- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
3. Har Prasad Rathore S/o Ramratan Singh Rathore Aged About 56 Years Occupation Agrawal Gudakhu Factory/partner R/o Purani Basti Kharsia, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
4. The Registrar Of Trade Mark Trade Mark Registry, Trade Mark Division, Intellectual Property Bhavan, Beside Antop Hill Post Office- S.M. Road, Antop Hill, Mumbai, Maharashtra., District : Mumbai, Maharashtra
5. State Of Chhattisgarh Through Collector, Raigarh District- Raigarh, Chhattisgarh.....(Defendants), District : Raigarh, Chhattisgarh

---- Respondents

For Applicant	:	Shri M.K. Sinha, Advocate
For Respondents No. 1 to 3	:	Shri Hari Agrawal, Advocate
For State	:	Shri Lav Sharma, Panel Lawyer

Division Bench : Hon'ble Mr. Justice Manindra Mohan Shrivastava
Hon'ble Mrs. Justice Rajani Dubey

Order On Board

07/08/2018

1. Heard on application (MCC) for restoration of First Appeal No.110 of 2014.
2. Though prayer for restoration is opposed by the other side, taking into

consideration the cause shown in the application, we are satisfied that for reasons beyond control, the appellant could not appear when the case was called on for hearing.

3. Accordingly, the application is allowed. Order dated 09.07.2018 dismissing First Appeal No.110 of 2014 is hereby recalled and the First Appeal No.110 of 2014 is restored to its original number subject to cost of Rs.1,000/- to be paid to other parties.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge