

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRMP No. 914 of 2014**

Mathura Prasad Bhargav Suryavanshi Dead Lrs. Ramadevi W/o Late Mathura Prasad Bhargav Aged About 40 Years Through The Legal Heirs Rama Devi Bhargav R/o Of Village Jalsi, Police Station Koni Tahsil And Distt. Bilaspur C.G.

---- Petitioner

**Versus**

State Of Madhya Pradesh Now State Of Chhattisgarh S/o Through The Station House Officer Police Station Koni District Bilaspur C.G.

--- Respondent

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|----------------|---|---------------------------------------|
| For Petitioner | : | Mr. Harshwardhan Parganiha, Advocate. |
| For State      | : | Mr. K. K. Singh, Govt. Advocate.      |

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**DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Hon'ble Smt. Justice Vimla Singh Kapoor**

**Order On Board**

**15/04/2019**

1. Heard on application (I.A. No. 1/14) for condonation of delay in filing this petition.
2. For the reasons stated in the application we are inclined to allow the application. Accordingly, the application is allowed. Delay in filing the petition is condoned.
3. Also heard on prayer for restoration of Criminal Appeal No. 2652 of 1999.
4. Learned counsel for the petitioner would submit that the widow of the deceased-applicant seeks restoration of the appeal for pursuing the same seeking adjudication on merits of the conviction because the conviction of her husband for life imprisonment has resulted in rejection of her application for grant of compassionate appointment.
5. Upon due consideration of the submission and the reasons assigned for restoration of the appeal which was earlier dismissed as abated on account of death of the deceased, we are inclined to recall the order dated 29.08.2013.

6. Accordingly, the petition is allowed. Order dated 29.08.2013 is recalled.  
Criminal Appeal No. 2652 of 1999 is restored to its original number.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**

**Sd/-**  
**(Vimla Singh Kapoor)**  
**Judge**

Ravi