

HIGH COURT OF CHHATTISGARH, BILASPUR
MCC No. 608 of 2019

- Lekhram Sarang S/o Late Sonaudas Aged About 26 Years R/o Village Akoli, Post Khudmuda, Police Station Berla, Tahsil Bemetara, District Durg Chhattisgarh. 491335

---- Applicant

Versus

1. Rajesh Das Manikpuri S/o Vishaldas Manikpuri, Aged About 22 Years Occupation Driver, R/o Village Muraithi, Police Station Dharsinwa, Tahsil and District Raipur, Chhattisgarh. 492001
2. Mayarm Yadu S/o Vishveshwar Yadu aged About 38 Years R/o Village Muraithi, Post Siltara, Police Station Dharsinwa, Tahsil and District Raipur Chhattisgarh.
3. The Oriental Insurance Company Limited Through Divisional Manager, Divisional Office No. 1, Kachhahari Chowk, Jail Road, Raipur, Chhattisgarh Policy No. 9581, Policy Year 2008, Development Officer Code 34.

---- Respondents

For Applicant : Mr. Akhilesh Mishra, Advocate

D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava, J.

12/07/2019

1. Heard on application for condonation of delay in filing restoration application (MCC). Learned counsel for appellant would submit that the claim application was dismissed for want of prosecution which was not known to the parties. Later on, when the parties came to know that similarly situated claimants, whose family members were also traveling in the same vehicle, have been granted higher compensation on almost similar consideration of wages, the

applicants have filed restoration application so that their appeal may also be decided on merits.

2. Having considered the grounds urged in the application, the application is allowed. Delay is condoned. MAC No. 142/2010 is restored to its original number.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge