

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 58 of 2020**

- Barkat Ali Farishta S/o Late Shri Rajab Ali Farishta, Aged About 84 Years R/o Kawardha Bada, Civil Lines, Raipur, Tahsil And District Raipur Chhattisgarh, Present Address - C/o Farishta Hospital, Katora Talab, Raipur, District Raipur Chhattisgarh

---- Petitioner**Versus**

1. Smt. Vijay Laxmi Sharma W/o Late Shri Govind Prasad Sharma, Aged About 75 Years R/o Dr. Deepak Bhawan, Tikrapara, Raipur, Tahsil And District Raipur Chhattisgarh
2. (A) Radhey Shyam Verma S/o Shri Laalu Prasad Verma, Aged About 66 Years
(B) Rambabu Verma S/o Shri Laalu Prasad Verma, Aged About 27 Years

Both R/o Purani Basti, Raipur, Tahsil And District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. S.S. Rajput, Advocate.
For Respondent	:	Mr. Hari Agrawal, advocate appears on behalf of Mr. B.P. Sharma, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****26/02/2020**

1. Upon due consideration of the submission made, office objection is overruled and delay in filing this petition is condoned.
2. Heard on application for recall of order dated 27.04.2018 passed in FA No.7 of 2013.
3. In the application, supported with affidavit of the petitioner-Barkat Ali Farishta, it has been stated that the appeal was dismissed as abated on account of an impression that the appellant is no more and whereabouts of his LR is not known, whereas the appellant was residing in United States of America and therefore, could not remain in touch with counsel and therefore as there was no communication or contact between the appellant and counsel, an impression might have been created that he is no more, which is not factually correct.

4. Considering the aforesaid prayer made in the application supported by affidavit, order dated 27.04.2018 passed in FA No.7 of 2013 is recalled and FA No.7 of 2013 is restored to its original number.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Ravi