

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 714 of 2019

Radheshyam, Aged about 50 years (now aged about 68 years), S/o Baliram Rathore, R/o Sardha, Tahsil Lormi, Now District Mungeli, Chhattisgarh.

---Applicant

Versus

1. Gorelal, Aged about 53 years, S/o Samaru, R/o Sardha, Tahsil Lormi, Now District Mungeli, Chhattisgarh.
2. State of Chhattisgarh, through the Collector, Bilaspur, District Bilaspur, Chhattisgarh.

Note : The appellants Ramchran and Smt. Nainbai have died, therefore, they have not arrayed as party applicant in the instant application and appropriate application will be filed in the original appeal after restoration.

----- Respondents

For Applicant	:	Ms. Sofia Khan, Advocate
For State	:	Mr. Rahul Jha, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

17/07/2020

1. Heard on I.A. No. 1, application for condonation of delay in filing the restoration application.
2. On due consideration, I.A. No. 1 is allowed and delay is condoned.

3. Heard learned counsel for the parties on restoration application.
4. The applicant is seeking restoration of Second Appeal No. 501 of 2004 which was dismissed for want of prosecution vide order dated 22/10/2018.
5. On due consideration of the submissions made by learned counsel for the applicant and the grounds taken in the restoration petition, I am satisfied that the absence of applicant's counsel on 22/10/2018 when Second Appeal No. 501 of 2004 was taken-up for hearing was based on *bona fide* grounds.
6. This M.C.C., therefore, is allowed and Second Appeal No. 501 of 2004 is restored for hearing and disposal to its original number.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet