

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No. 1171 of 2019**

- Ramesh Gandhi S/o Late Girdhari Lal Gandhi Aged About 72 Years Through Power Of Attorney Holder - Yogesh S/o Late Naresh Chand Gandhi, Aged About 32 Years, R/o Kamti Lines, City Tehsil And District Rajnandgaon, Chhattisgarh. (Defendant),

---- Applicant**Versus**

1. Ghewar Chand S/o Bastimal Aged About 78 Years Caste Sharma, R/o Ganjpara, Occupation Pujari, R/o Balod City And Tehsil And District Balod, Chhattisgarh. (Plaintiff).
2. State Of Chhattisgarh, Through Collector, Balod, Chhattisgarh. (Defendant No. 2).

---- Non-applicants

For Applicant:

Shri Manay Nath Thakur, Advocate.

For State/Non-Applicant No.2:

Shri Vimlesh Bajpai, G.A.

Single Bench:Hon'ble Shri Sanjay S. Agrawal, J**Order On Board****20.02.2020**

1. Heard on I. A. No.01/2019, an application for condonation of delay of 100 days in filing this M.C.C.
2. It is submitted by Shri Thakur, learned counsel for the Applicant that due to inadvertence, listing of the said Civil Revision Petition could not be seen, therefore, no appearance was made on the date when the said Revision Petition was dismissed for non-prosecution. According to him, the alleged mistake occurred bona fide and there is no mala fide intention behind it, and therefore, the delay in filing this M.C.C. may be condoned.
3. No reply has been filed with regard to the said application.
4. On due consideration and for the reasons assigned therein, which is

duly supported by an affidavit, I am inclined to allow the same and delay in filing this M.C.C. is accordingly condoned.

5. Also heard on admission.

6. This M.C.C. has been filed for restoration of C.R. No.201/2017, which was dismissed in default by this Court vide order dated 05.07.2019.

7. For the reasons assigned in the application for restoration of the said Civil Revision, I am inclined to allow the same.

8. Accordingly, the instant M.C.C. is allowed and C.R. No.201/2017 is restored to its original number. No order as to costs.

Sd/-

(Sanjay S. Agrawal)
JUDGE