

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr. M. P. No. 33 of 2020**

Sadanand Patel, S/o Reshamlal Patel, aged about -38 years, R/o- Village Bhedikona, Thana – Dabhara, District Janjgir-Champa (C.G.)

----Petitioner/appellant.

Versus

Chhattisgarh State Electricity Distribution Company Limited, Through – Assistant Engineer (Office) (Distribution / Repair) C.G. S.E.D.C. Ltd. Sakti, District Janjgir-Champa (C.G.)

---- Respondent

For Petitioner	:	Mr. Vivek Sharma, Advocate.
For Respondent	:	Mr. Abhishek Sinha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

07/10/2020

1. Learned counsel for the petitioner and respondent are heard on restoration application .
2. The petitioner is seeking restoration of Criminal Appeal No. 259 of 2011 which was dismissed for want of prosecution vide order dated 05.12.2019.
3. On due consideration of the submissions of the learned counsel for the petitioner and the grounds taken in the restoration petition and in view of the judgment of this Court in the matter of ***Laxmi Prasad Soni & another v. State of Chhattisgarh***¹, I am satisfied that the absence of petitioner's counsel on 05.12.2019 when Criminal Appeal No. 259 of 2011 was called out for hearing was based on *bona fide* grounds.
4. Cr. Misc. Petition No. 33/2020, therefore, is allowed and Criminal Appeal No. 259 of 2011 is restored to its original number subject to payment of cost of Rs.5,000/- payable to the Chhattisgarh Bar Association within a period of two weeks from today.

5. It is made clear that Criminal Appeal No. 259 / 2011 will be restored on payment of cost of Rs.5,000/- to the Chhattisgarh Bar Association and production of certificate to this effect to the Registry of this Court.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

