

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 146 of 2021**

1. Satrugan Lal Rathore S/o Late Shri Bhagwat Prasad Rathore Aged About 48 Years R/o Jayprakash Colony, Ramnagar, Tahsil And District Korba Chhattisgarh., District : Korba, Chhattisgarh
2. Smt. Sunil Bai Rathore W/o Satrugan Lal Rathore Aged About 43 Years R/o Jayprakash Colony, Ramnagar, Tahsil And District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicants

Versus

1. Ramkripalpal S/o Doodhnath Pal Aged About 50 Years R/o Badlapur, Thana Badlapur, District Jaunpur, Uttar Pradesh (Driver Trailer No. H.R. 38//6983), District : Jaunpur, Uttar Pradesh
2. M/s K.C.G.C. Carrier Pvt. Ltd. 2710, Kutub Road, Nabi Karim New Delhi, Thru Trailer Owner Premshanker Shukla S/o B.D. Shukla , R/o Plot No. 88, T.P. Nagar, Korba Chhattisgarh (Owner Trailer H.R. 38//6983), District : Korba, Chhattisgarh
3. Branch Manager The Oriental Insu. Co. Ltd. Office Korba, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Respondents

For Applicants	:	Shri Ashutosh Shukla, Advocate
For Respondent No.3	:	Shri Anumeh Shrivastava, Advocate

Single Bench: Hon'ble Shri Justice Sanjay S. Agrawal
Order On Board

Through Video Conference

09.07.2021

1. Heard on I.A.No.1/2021, an application for condonation of delay of 383 days in filing this M.C.C.
2. On due consideration and for the reasons assigned therein, which is duly supported by an affidavit and considering further the order passed by Hon'ble the Supreme Court on 8.3.2021 in *suo motu* Writ Petition(C) No.3/2020, I am inclined to allow this application.

3. The application is allowed and the delay of 383 days in filing the M.C.C. is accordingly condoned.
4. Also heard on admission.
5. The instant M.C.C. has been filed for restoration of MAC No.1032/2013, which was dismissed in default for non-prosecution vide order dated 06.01.2020.
6. On due consideration and for the reasons assigned therein, which is duly supported by an affidavit, I am inclined to allow the same.
7. Accordingly, the instant M.C.C. is allowed and the said appeal which was dismissed in default for non-prosecution vide order dated 06.01.2020 is restored to its original number as MAC No.1032/2013.
8. No order as to cost.
9. In view of the above, the instant M.C.C stands disposed of.

Sd/-
(Sanjay S. Agrawal)
JUDGE