

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 213 of 2021**

1. CSPDCL Through Managing Director (O And M) Division, Daganiya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Superintending Engineer CSPDCL Janjgir Champa, District Janjgir Champa Chhattisgarh.
3. Executive Engineer Officer-In-Charge, CSPDCL, Division Champa, District Janjgir Champa Chhattisgarh.
4. Junior Engineer, CSPDCL, Division Champa, District Janjgir Champa Chhattisgarh

---- Applicants/Appellants**Versus**

1. Pramila Devi Wd/o Tridhuvan Singh, Aged About 31 Years R/o Village Rakhota, Tahsil Baloda, District Janjgir Champa, Chhattisgarh.,
2. Kumari Aarti, D/o Late Tridhuvan Singh, Aged About 10 Years Minor Through Natural Guardian Mother Pramila Devi, Wd/o Late Tridhuvan Singh, R/o Village Rakhota, Tahsil Baloda, District Janjgir Champa Chhattisgarh,
3. Kumari Ankita, D/o Late Tridhuvan Singh, Aged About 8 Years Minor Through Natural Guardian Mother, Pramila Devi, Wd/o Late Tridhuvan Singh, R/o Village Rakhota, Tahsil Baloda, District Janjgir Champa Chhattisgarh.,
4. Aneesh Kumar, S/o Late Tridhuvan Singh, Aged About 6 Years Minor Through Natural Guardian Mother, Pramila Devi, Wd/o Late Tridhuvan Singh, R/o Village Rakhota, Tahsil Baloda, District Janjgir Champa Chhattisgarh.,

---- Respondents

For Applicants	:Shri Manish Nigam, Advocate
For Respondents	:Shri Dashrath Prajapati, Advocate on advance copy.

Hon'ble Shri Justice Sanjay S. Agrawal**Order on Board**

01.04.2021

1. Heard on an application for condonation of delay in filing the present petition.
2. Shri Nigam, counsel appearing for the applicants, while referring to the order dated 08.03.2021 passed by the Supreme Court in suo motu Writ Petition (Civil) No.3/2020, submits that the condonation application is not required to be filed in the matter and the Registry of this Court has also pointed out that the petition is filed in time, and therefore, he does not want to press this application.
3. Accordingly, application for condonation is rejected as not pressed.
4. Heard on admission.
5. This petition has been filed seeking restoration of First Appeal No.41/2012, which was dismissed in default vide order dated 27.01.2021.
6. On due consideration of the reasons assigned in the application, which is duly supported by an affidavit, I am inclined to allow the same and it is directed that the Registry shall take steps to restore the First Appeal No.41/2012, which was dismissed in default vide order dated 27.01.2021 to its original file subject to cost of Rs.2,500/- payable to the respondents through their counsel Shri Dashrath Prajapati within a period of 15 days from today.
7. With the aforesaid direction, the petition is allowed.

Sd/-

(Sanjay S. Agrawal)
Judge