

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 328 of 2020**

- S.B.I. General Insurance Company Limited Through Branch Manager , Pujari Park Complex, 4th Floor, Pachpedi Naka, Police Station Tikrapara , District Raipur Chhattisgarh. (Insurer Of Vehicle Tractor No. Cg-04-Dt-3844), District : Raipur, Chhattisgarh

---- Applicant**Versus**

1. Pramila Bai Wd/o Late Hirasingh Vishwakarma Aged About 28 Years
2. Khorbahra Vishwakarma Aged About 65 Years
 - 2.(B) Minor Rakesh S/o Late Hirasingh Vishwakarma aged about 10 years
3. Minor Jogeshwari D/o Late Hirasingh Vishawakarma Aged About 07 Years

Respondent Nos. 3 and 4 are minors and Hence Representing Through Their Pramila Bai Respondent No. 01

All R/o Village Lahod Police Station Kasdol District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh (**Claimants**)

5. Ghanshyam Sahu S/o Ishwar Sahu Aged About 38 Years R/o Village Lahod Police Station Kasdol District Balodabazar Bhatapara Chhattisgarh. (Driver Of Vehicle Tractor No. Cg-04-Dt 3844), District : Balodabazar-Bhathapara, Chhattisgarh
6. Jagmat Bai W/o Kholhara Sahu Aged About 50 Years R/o Village Lahod Police Station Kasdol District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh
7. Hetram Sahu S/o Bhauram Sahu Aged About 50 Years Village Lahod Police Station Kasdol District Balodabazar Bhatapara Chhattisgarh. (Legal Hears vehicle Owner Late Khorbahra S/o Bhauram Sahu. Vehicle Tractor No. Cg-04-Dt 3844), District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondents

For Applicant	:	Shri N.K. Thakur, Advocate
For Respondent Nos. 1 to 3	:	Shri S.P. Sahu, Advocate
For Respondent Nos. 4 & 6	:	Shri Pawan Kumar Kashyap, Adv.
For Respondent No.5	:	None, though served

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

02/08/2021

1. Heard on I.A.No.1/2020, an application for condonation of delay of 16 days in filing the M.C.C.
2. No reply has been filed with regard to the said application.
3. On due consideration and for the reasons assigned therein, which is duly supported by an affidavit, I am inclined to allow this application.
4. The application is allowed and the delay of 16 days in filing the M.C.C. is accordingly condoned.
5. Also heard on admission.
6. The instant M.C.C. has been filed for restoration of MAC No.1433/2016, which was dismissed in default vide order dated 31.01.2020.
7. On due consideration and for the reasons assigned therein, which is duly supported by an affidavit, I am inclined to allow the same.
8. Accordingly, the instant M.C.C. is allowed and the said appeal is restored to its original number as MAC No.1433/2016.
9. No order as to cost.
10. In view of the above, the instant M.C.C stands disposed of.

Sd/-

(Sanjay S. Agrawal)
JUDGE