

HIGH COURT OF CHHATTISGARH, BILASPUR
MCC No. 356 of 2018

- Ayodhya Prasad S/o Lochan Prasad Choudhary Aged About 46 Years Caste - Aghariya, R/o Village Singhanpur, Tahsil Basna, Civil And Revenue District Mahasamund Chhattisgarh. ---- **Petitioner**

Versus

- Kamal Kumar S/o Jwala Prasad Mahant, Aged About 34 Years Caste - Panika, R/o Village Sangitrai, Tahsil And District Raigarh Chhattisgarh ---- **Respondent**

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- Mr. Vikash Pradhan, counsel for the petitioner.
 - Mr. Anand Kesharwani, counsel for the respondent.
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D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava, J.

23.08.2021

Heard on prayer for restoration.

Considering the submission of learned counsel for the appellant that the appeal came to be automatically dismissed without further reference to the bench on account of non submission of paper book within the time stipulated and the cause shown and further in the interest of justice, taking into consideration the nature of dispute raised before the Court, we are inclined to restore the appeal by condoning the delay in filing the application.

However, to the cost of Rs. 500/- payable to the legal Aid of the High Court.

Accordingly, the application is allowed in FA No. 225 of 2016 is restored to its original number subject to the condition, that the paper book should be positively filed within one month from today, failing which the appeal shall stand dismissed automatically without further reference to the Bench.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge