

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 520 of 2021**

Smt. Chitrarekha Choudhary D/o Late Shri Shivprakash Chandan, aged about 28 years, R/o Ruwabandha, Azad Chowk, Nearby Masjid, Bhilai, District Durg, Chhattisgarh

--- Applicant

Versus

Dhiraj Choudhary son of Mulchand Choudhary, aged about 30 years, R/o Rajatalab, Near Shiv Mandir, Raipur, Tahsil and District Raipur, Chhattisgarh.

--- Respondent

(Cause Title taken from Case Information System)

For Applicant : Mr. T.K.Jha, Advocate.

For Respondent : None

Hon'ble Mr. Arup Kumar Goswami, Chief Justice

Hon'ble Mr. N.K.Chandravanshi, Judge

Order on Board

Per Arup Kumar Goswami, Chief Justice

03/12/2021

On 30.11.2021, the following order was passed:

“Registry will list the case on 03.12.2021 showing the name of Mr. J.K.Gupta, learned counsel on the side of the respondent.”

2. Accordingly, the case is listed today showing the name of Mr. J.K.Gupta. While Mr. T.K.Jha, learned counsel for the applicant is present, Mr. J.K. Gupta has not appeared.

3. MCC No. 520 of 2021 is an application for restoration of the appeal, being FA(M) No. 146/2019. In the said appeal, on 09.04.2021, this Court had passed the following order:

“Mr. G.R.Berman, Advocate for the Appellant.

Mr. J.K.Gupta, Advocate for the Respondent.

As prayed by learned counsel for the appellant, six weeks’ time is granted to make good the defaults as pointed out by the Registry, failing which the appeal shall stand dismissed automatically without further reference to the Bench.”

4. Since no steps were taken to cure the defects, it was treated to be dismissed due to non-compliance of the aforesaid order by the Registry on 29.07.2021.
5. This application was filed on 15.09.2021.
6. It is submitted by Mr. Jha that paper-book could not be filed within the stipulated period of time as the file was misplaced. It is further submitted that the paper-book is now ready.
7. On being satisfied with the explanation given, the appeal is restored to file in its original number.
8. The paper-book shall be filed on or before 15th of December, 2021. Registry shall list FA(M) No. 146/2019 on 17th of December, 2021 with a report indicating as to whether the paper-book has been filed or not.
9. Accordingly, this MCC stands disposed of.

Sd/-
(Arup Kumar Goswami)
CHIEF JUSTICE

Sd/-
(N.K.Chandravanshi)
JUDGE