

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 557 of 2021

- Shri Hitesh Agrawal S/o Late Shri Dineshchand Agrawal, Aged About 34 Years, R/o 006, Life Style Township, Amrawati Road, Waadi Nagpur, Police Station Waadi, District Nagpur Maharastra

---- Petitioner

Versus

- Smt. Nishu Agrawal W/o Shri Hitesh Agrawal, Aged About 30 Years, (D/o Late Shri Dhanraj Agrawal), R/o Shri Balaji Cotton House, Niharika, Korba, Tahsil and District Korba Chhattisgarh

----Non-applicant

For Petitioner – Mr. Sunil Verma and Ms. Lata Nayak, Advocates.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-10-2021

Heard on the petition.

1. This petition has been brought against the orders dated 14-07-2021 and 08-09-2021 by which the learned Family Court, Korba has imposed cost for non-appearance of the petitioner/non-applicant.
2. It is submitted that the petitioner is suffering from brain tumour and undergoing treatment, because of which the prayer for exemption in appearance was made before the Court below, but learned Court has without considering the ground mentioned in the application imposed cost for non-appearance of the petitioner.
3. The petition is disposed off at motion stage. The petitioner is granted liberty to file repeat application for exemption and also for recalling the orders dated 14-07-2021 and 08-09-2021 and if any such application is filed within 18 days the trial Court is directed to consider such application and pass appropriate order.

Sd/-

(Rajendra Chandra Singh Samant)
Judge