

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No.566 of 2020**

Udaypal Sahu, S/o Ram Aasare, Aged About 49 Years, R/o Mahamaya Nagar, Tifra, P.S. Sirgitti, District Bilaspur, Chhattisgarh (Appellant).

---- Petitioner**Versus**

1. Sheikh Abdull Rajjak @ Saddam, S/o Sheikh Sarabdin, R/o Transport Nagar, Bilaspur, District Bilaspur, Chhattisgarh.
2. Jaypal Singh Bhamra, S/o Parmindar Singh, R/o 272 Polsai Para, Durg, District Durg, Chhattisgarh.
3. Divisional Manager, The New India Insurance Company Ltd. Ramatrade Center, Second Floor, Old Bus Stand Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Shri Sanjeev Pandey, Advocate.

For Respondents : None.

Hon'ble Shri Justice Sanjay S. Agrawal, J

Order On Board**04.01.2021**

1. Heard on I.A. No.1/2020, an application for condonation of delay of 247 days in filing this petition.
2. On due consideration of the reasons assigned in the said application, which is duly supported by an affidavit, I am inclined to allow the same. Accordingly, the said application is allowed and the delay of 247 days in filing the petition is hereby condoned.

3. Also heard on admission.
4. It is submitted by the learned counsel for the Petitioner that due to inadvertence he could not note down the date of the listing of the matter on 20.02.2020 and came to know about its dismissal only, when he was going to move an application for urgent hearing of it. It is, therefore, contended that the said mistake was not deliberate and has been occurred due to the said bonafide mistake and prays for restoration of the appeal to its original number.
5. On due consideration of the reasons assigned therein, which is duly supported by an affidavit, I am inclined to allow the same. Accordingly, the petition is allowed and the appeal being MAC No.231/2020, is hereby directed to be restored to its original number. No order as to costs.

Sd/-
(Sanjay S. Agrawal)
Judge