

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 2614 of 2018**

- Yamini Ratre W/o Late Rameshwar Prasad Ratre Aged About 48 Years R/o Police Line Raipur Tahsil And District Raipur Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Vishesh Police Sthapana (Lokayukt), Arakshi Kendra ,bhopal Ekai Raipur Chhattisgarh.

---- Respondent

For Petitioner : Mr. Vaibhav Goverdhan, Ms. Deblina Matty, Advocates

For State : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Narendra Kumar Vyas**Order On Board****04.08.2021**

1. Learned counsel for the petitioner has filed the present CRMP for setting aside the abetment order dated 18.09.2018 by this Court in criminal appeal No.451/2002 in case of Rameshwar Prasad Ratre Vs. State of CG. This Court vide order dated 18.09.2018 has dismissed the appeal as abated on account of death of sole appellant on 12.08.2018.
2. The present application has been filed by wife of deceased Rameshwar Prasad Ratre for continuation of criminal appeal which has been filed by her husband challenging the order of conviction passed under the Prevention of Correction Act.
3. The applicant has also filed the application for condonation of delay contending that he has filed the matter for listing in original Criminal Case No.451/2002. The matter was listed on 26.11.2018 then it was observed that the application for restoration of appeal is not maintainable and same was withdrawn thereafter a fresh application was filed on 05.12.2018.
4. The explanation given by the applicant is seems to be just and fair and there is sufficient cause for delay in filling this appeal,

the delay is condoned now since the wife of the deceased wants to continue over the criminal appeal the same is allowed and the criminal appeal No.451/2002 be restored in its original number and matter be listed before this Bench having roaster.

5. With this observation, the present CRMP is allowed.

Sd/-

(Narendra Kumar Vyas)

Judge