IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ROOPESH CHANDRA VARSHNEY

ON THE 2nd OF FEBRUARY, 2024

MISC. CIVIL CASE No. 242 of 2024

BETWEEN:-

RAM SHARMA S/O SHRI SURESH SHARMA, AGE 32 YEARS, OCCUPATION UNEMPLOYED, R/O 48, G-1 NEW NEHRU COLONY, BEHIND TAPTI APARTMENT, THATIPUR GWALIOR (M.P.) AT PRESENT C/O MUKESH JHA, BEHIND SONEPAL MEMORIAL SCHOOL, BADAGAON, KHURERI CHAURAHA, MORAR, GWALIOR (MADHYA PRADESH)

.....APPLICANT

(BY SHRI RISHABH MISHRA- ADVOCATE)

AND

SHIKHA SHARMA W/O SHRI RAM SHARMA D/O SHRI SURESH KUMAR SHARMA, AGE 31 YEARS, OCCUPATION HOUSEWIFE, R/O P.H.E COLONY, BEHIND LITTLE CHILDREN SCHOOL, CHAR SHAHAR KA NAKA, GWALIOR (MADHYA PRADESH)

.....RESPONDENT

(NONE)

This application coming on for admission this day, the court passed the following:

ORDER

Heard on IA No.711/2024, which is an application under Section 5 of Limitation Act for condonation of delay.

For the reasons mentioned in the aforesaid application, same is allowed and the delay is hereby condoned.

Heard on the main application.

This is an application for restoration of M.P. No.7288/2023, which stood

Signature Not Verified
Signed by: SHIVANI SINGH RAJPUT
Signing time: 03-02-2024 11:25:51 AM

dismissed for want of prosecution by this Court vide order dated 21.12.2023.

It is submitted by the counsel for the applicant that on the date of hearing, the counsel for the applicant was not well, therefore, he could not attend the Court. It is settled in law that for the mistake of counsel, litigant should not be made to suffer due to fault of his counsel.

For the reasons assigned in the application, which is supported by an affidavit, sufficient cause is made out for restoration of M.P. No.7288/2023. Hence, the application is allowed and M.P. No.7288/2023 is restored to its original number.

A copy of this order be placed in the record of M.P. No.7288/2023.

This M.C.C. stands ***disposed of*** accordingly.

(ROOPESH CHANDRA VARSHNEY)
JUDGE

shivani

Signature Not Verified
Signed by: SHIVANI SINGH RAJPUT
Signing time: 03-02-2024 11:25:51 AM