IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SHEEL NAGU

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 18th OF JANUARY, 2024

MISC. CIVIL CASE No. 11 of 2024

BETWEEN:-

SMT. MALTI W/O SANJAY SAWKARE, AGED ABOUT 45 YEARS, OCCUPATION: HOUSEWIFE, R/O MATHADI HOSPITAL TRUST PORKHARANE BUS DEPO KE PASS, PLOT NO. 22, SECTOR 03, NAI MUMBAI, AT PRESENT R/O 383/3 MALWIYA NAGAR, INDORE, DISTRICT INDORE (M.P.)

.....PETITIONER

(BY SHRI VIVEK AHIRWAR - ADVOCATE)

AND

SANJAY S/O NARAYAN SAWAKARE, AGED ABOUT 48 YEARS, OCCUPATION: SHIKSHAK, R/O MOHALLA SHIVAJI WARD NO. 10, SHAHPUR TEHSIL ZILA BURHANPUR, DISTRICT BURHANPUR (M.P.)

.....RESPONDENT

This application coming on for admission this day, ***Justice Sheel Nagu*** *passed the following:*

ORDER

This MCC has been preferred for restoration of First Appeal No.2231/2023, which was dismissed for non compliance of peremptory order dated 22.11.2023.

In view of averments made in the application, which is duly supported by affidavit of counsel for applicant, prayer for restoration of

First Appeal No.2231/2023 is hereby accepted.

Looking to the nature of default, subject to payment of cost of **Rs.1,000/-** (**Rs. One Thousand Only**) to be deposited with M.P. High Court Legal Services Committee, Jabalpur within a period of 15 days from today, First Appeal No.2231/2023 is restored to its original number for being adjudicated on its own merits.

Accordingly, MCC stands **allowed**.

A copy of this order be placed in the record of First Appeal No.2231/2023.

(SHEEL NAGU)
JUDGE

(VINAY SARAF)
JUDGE

DV

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