IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DWARKA DHISH BANSAL

ON THE 2nd OF FEBRUARY, 2024

MISC. CIVIL CASE No. 182 of 2024

BETWEEN:-

PRATYUSH PANDEY ALIAS AYUSH PANDEY S/O SHRI ASHOK PANDEY, AGED ABOUT 5 YEARS, OCCUPATION: MINOE THROUGH NATURAL GUARDIAN SHRI ASHOK PANDEY S/O BYANKAT PRASAD PANDEY AGE ABOUT 35 YEARS R/O WARD NO. 3, NAGAR PANCHAYAT CHURAHAT, P.S. AND TEHSIL CHURAHAT, DISTRICT SIDHI (MADHYA PRADESH)

.....APPLICANT

(BY SHRI V.P. SINGH - ADVOCATE)

AND

1. **RAJBAHORE KOL S/O SUKHLAL KOL, AGED ABOUT 35 YEARS, R/O VILLAGE PADKHURI 586, POLICE STATINO AND TEHSIL CHURAHAT DISTRICT SIDHI (MADHYA PRADESH)**

2. **DEEPANKAR PANDEY S/O SHRI RAMSAJIWAN PANDEY R/O VILLAGE CHURAHAT WARD NO.6 P.S. AND TAHSIL CHURAHAT DISTRICT SIDHI (OWNER OF VEHICLE NO. TATA 407 NO. MP 53 GA/3289) (MADHYA PRADESH)**

3. **CHOLA MANDLAM MS. GENERAL INSURANCE COMPANY LIMITED , BRANCH OFFICE NEAR VIJAY FILLING STATION NORTH KARONDIYA, SIDHI TAHSIL GOPAD BANAS, DISTRICT SIDHI (MADHYA PRADESH)**

.....RESPONDENTS

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

ORDER

Signature Not Verified
Signed by: PRASHANT BAGJILEWALE
Signing time: 2/3/2024 11:46:02 AM

Heard on the question of admission.

2. The present application has been filed for restoration of M.A. No.2304/2021, which was dismissed for want of prosecution vide order dated 09.01.2024

3. Considering the averments made in the application, this Court finds that sufficient cause is shown for restoration of the Misc. Appeal.

4. Accordingly, MCC is **allowed**.

5. M.A. No.2304/2021 is restored to its original number subject to payment of cost of Rs.2,000/- (Two thousand only) payable to the State Legal Services Authority, Jabalpur, within a period of seven working days, failing which the order of dismissal of Misc. Appeal shall remain intact. However, it is made clear that the applicant/appellant shall not be entitled for any interest for the period taken in restoration of the misc. appeal.

6. A copy of this order be kept in the file of M.A. No.2304/2021.

7. Pending application(s), if any, shall stand disposed off.

(DWARKA DHISH BANSAL)
JUDGE

pb

Signature Not Verified
Signed by: PRASHANT BAGJILEWALE
Signing time: 2/3/2024 11:46:02 AM