HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Restoration No. 3/2025

IN

S.B. Civil Cross Objection No.213/2020

1. Shibu Ram Alias Simbhu Ram S/o Jetha Ram, Aged About 59 Years, R/o Baggar Tehsil Rinyabadi District Nagaur
2. Smt Sharda W/o Shri Paras Ji, Aged About 37 Years, D/o Shiburam @ Shimbhu Ram Ro Baggar Tehsil Rinyabadi District Nagaur
3. Gutki W/o Pemaram, Aged About 33 Years, D/o Shiburam @ Shimbhu Ram Ro Baggar Tehsil Rinyabadi District Nagaur
4. Bharpai W/o Premji, Aged About 29 Years, D/o Shiburam @ Shimbhu Ram Ro Baggar Tehsil Rinyabadi District Nagaur
5. Ramavtar S/o Shiburam @ Shimbhu Ram, Aged About 26 Years, Ro Baggar Tehsil Rinyabadi District Nagaur
6. Smt Saroj W/o Prakash, Aged About 23 Years, D/o Shiburam @ Shimbhu Ram Ro Baggar Tehsil Rinyabadi District Nagaur

----Petitioners

Versus

1. Bhabhut Ram S/o Bhikharam Jat, R/o Village Lampolai Tehsil Mertacity Ps Padukhurd District Nagaur Rajasthan (Driver Of Bus No. Rj19Pa6692)
2. Mohd Ayub S/o Mohd Sabir, Ro Bapu Colony Chopasani Road Jodhpur (Owner Of Bus No. Rj-19-Pa-6692)
3. The New India Assurance Company Limited, Branch Office Divisional Office 1 Abhay Chambers Jalori Gate Jodhpur Through Divisional Manager (Insurance Company Of Bus No. Rj-19-Pa-6692)

----Respondents

For Petitioner(s) : Mr. Narpat Ram

HON'BLE DR. JUSTICE NUPUR BHATI

Order

11/02/2025

1. The instant restoration application has been filed by the appellants under the Rajasthan High Court Rules, 1959 read with Order 41 Rule 19, CPC seeking restoration of the S.B. Civil Cross Objection No.213/2020, which was dismissed in default vide order dated 13.11.2024 on account of non-compliance of the peremptory order dated 21.09.2024 passed by this Court.

2. Having considered the grounds as set out in the restoration application and in the interest of justice, the same is allowed and the S.B. Civil Cross Objection No.213/2020, is ordered to be restored to its original number, subject to the condition that the appellant shall deposit the cost of Rs.3,000/- before the Rajasthan State Legal Services Authority, Jodhpur.

3. Office to proceed accordingly.

(DR.NUPUR BHATI),J

90-AnilKC/-