CGHC010380502026 2026:CGHC:45438

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 986 of 2026

1 - Gajendra Kumar Sahu S/o Late Deval Ram Sahu, Aged About 41 Years, R/o Village - Bathena Chowk, Sahu Complex, Raipur Road, Dhamtari, District - Dhamtari (C.G.), (Owner Of Vehicle Truck No. C.G.-08 B.-1638), (Owner).

... Applicant

versus

1 - Lalesh Kumar Sahu S/o Geeta Ram Sahu, Aged About 46 Years, R/o Gagra, P.S. - Arjuni, District - Dhamtari (C.G.), (Driver Of Vehicle Truck No. C.G.-08 B.-1638).

2 - Ramu Ram Sahu S/o Late Sant Lal Sahu, Aged About 61 Years, R/o Village - Piparchhedi (Gagra), P.S. - Arjuni, District - Dhamtari (C.G.), (Claimants).

3 - Champa Bai W/o Ramuram Sahu, Aged About 56 Years, R/o Village - Piparchhedi (Gagra), P.S. - Arjuni, District - Dhamtari (C.G.).

4 - Vijay Kumar Sahu S/o Ramuram Sahu, Aged About 32 Years, R/o Village - Piparchhedi (Gagra), P.S. - Arjuni, District - Dhamtari (C.G.).

5 - Ku. Tarni Sahu D/o Ramuram, Aged About 28 Years, R/o Village - Piparchhedi (Gagra), P.S. - Arjuni, District - Dhamtari (C.G.).

6 - Keja Bai W/o Late Santlal Sahu, Aged About 82 Years, R/o Village - Piparchhedi (Gagra), P.S. - Arjuni, District - Dhamtari (C.G.).

7 - Divisional Manager, The United India Insurance Co. Ltd, Krishna Complex, I St Floor, Kachahari Chowk Raipur, Distt- Raipur (C.G.).

... Respondent(s)

For Applicant : Mr. Sudeep Verma, Advocate.
For Respondents : Not noticed.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board

(28.10.2026)

1. Heard on I.A. No.01/2026, application for condonation of delay in filing the appeal.
2. For the reasons stated in the application, the same is allowed and the delay of 24 days in filing the appeal is hereby condoned.
3. Also heard on admission.
4. Admit.
5. The present MCC has been filed seeking for restoration of MAC No. 823/2025 which got dismissed on account of peremptory order passed by this Court on 31.07.2026.
6. Considering the facts and circumstances of the case, the reasons stated in the application, the fact that the accident occurred on 01.03.2021, the award was passed on 23.11.2024, and the fact that the appeal has been preferred by the owner, it appears that sufficient interest has not been shown in prosecuting the appeal. Therefore, this Court deems it appropriate to impose costs while allowing this restoration application. Accordingly, the MCC is allowed, and MAC No. 823 of 2025 is directed to be restored to its original number, subject to the applicant depositing costs of Rs. 10,000/- by cheque in favour of one of the claimants before the concerned Tribunal within three weeks from today
7. Accordingly, the MCC is disposed of.

Sd/-

(Sanjay Kumar Jaiswal)
Judge

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