CGHC010414302026 2026:CGHC:46502

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 1028 of 2026

1. Smt. Lalita Bai W/o. Late Ganga Prasad Aged About 37 Years R/o. Jemara, Police Station Pali, Tehsil Pali, District- Korba (C.G.)

2. Ku. Preeti D/o Late Ganga Prasad Aged About 5 Years Through Mother- Smt. Lalita Bai, W/o Late Ganga Prasad, Resident of Jemara, Police Station- Pali, Tehsil- Pali, District- Korba Chhattisgarh

3. Dayaram S/o Bir Singh Aged About 65 Years Resident of Jemara, Police Station- Pali, Tehsil- Pali, District- Korba Chhattisgarh

4. Smt. Ind Kunwar W/o Dayaram Aged About 62 Years Resident of Jemara, Police Station- Pali, Tehsil- Pali, District- Korba Chhattisgarh

5. Ku. Kalyani D/o Late Ganga Prasad Aged About 4 Months, Through Mother- Smt. Lalita Bai, W/o Late Ganga Prasad, Caste- Gond, Resident of Jemara, Police Station- Pali, Tehsil- Pali, District- Korba Chhattisgarh,

... Applicants

versus

1. Ravi Bharti S/o. Late Gend Bharti Aged About 24 Years R/o. Village Kadari, Police Station Ratanpur, District Bilaspur (C.G.)

2. Manish Sharma S/o Ram Sumer Sharma, Resident of L.I.G. 86, Sharda Vihar, Korba, District- Korba Chhattisgarh

3. New India Insurance Company Limited Through- Branch Manager, Office- Sada Complex, T.P. Nagar, Korba, District- Korba Chhattisgarh

... Respondents

For Applicants : None

Hon'ble Shri Justice Sachin Singh Rajput

Order On Board

03.11.2026

1. None appeared on behalf of the applicants to press this application when the case is called out for hearing.

2. This MCC has been filed for restoration of MAC No. 326/2020, which came to be dismissed for non-compliance with the order dated 24.07.2026 passed by this Court.

3. It is evident from the record that, on 24.07.2026, this Court issued notice to the respondents and directed the applicants to pay process fee and furnish copies within a period of seven days. It was further observed that non-compliance with the said direction would result in automatic dismissal of the appeal without further reference to the Bench. However, the process fee, as directed, was not paid and, consequently, the appeal came to be dismissed.

4. The present MCC is also barred by limitation of 39 days, for which an application for condonation of delay, being I.A. No. 1/2026, has been filed.

5. On due consideration, the application is allowed. The delay in filing the MCC is condoned for the reasons stated in the application.

6. For the reasons stated in the restoration application, the MCC is **allowed**. The order dated 24.07.2026 is recalled, and MAC No. 326/2020 is restored to its original number.

Sd/-
(Sachin Singh Rajput)
Judge

Abhishek