

## IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.C.C.NO. /2005

Single Bench

**APPLICANT/APPELLANT** 

/ Sadaram, s/o Sukhram,
aged about 82 years, resident
of village Lailunga, Tah.
Gharghoda, District Raigarh
(C.G.)

۷s.

## NON-APPLICANTS/RESPONDENTS:

7 1) Tikeshwar, s/o Raghunath Kotla.

2) Munu, s/o Raghunath Kotla.

3) Giridhari, s/o Raghunath Kotla.

ركي,4) Babulal, s/o Raghunath Kotla.

7,5) Moharsi, wd/o Raghunath Kotla.

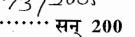
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All the residents of village Lailunga, Tah, Gharghoda, District Raigarh (C.G.)

APPLICATION FOR RESTORATION OF SECOND APPEAL NO.249/1988

## उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200





Fakhruddin Judge

## आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	31-8-2006 Shri B.D. Guru, counsel fo	r the applicants
	Shri Awadh Tripathi, Advo	cate for the respondents No. 2 to 4.
	Heard.	
	This is an application for	restoration of Second Appeal No. 249/1988
	which was dismissed by this Cou	rt on 22-1-2003.
	Learned counsel for the	applicant submits that the second appea
	bearing S.A.No. 249/1988 was t	aken up for hearing on 22-1-2003 and it wa
	dismissed for non-prosecution.	l He prays for restoration of the Second Appe
	to its original number. The ap	plication for restoration of Second Appeal
	supported by an affidavit of the a	pplicant.
	Having considered the fa	cts and circumstances of the case, materi
	on record and in view of the dec	ision of Supreme Court rendered in the cas
	of Rafiq and another vs. Mu	nshilal and another (AIR 1981 SC 140
	wherein it has been held that th	e party should not suffer because of mistal
	•	MCC is allowed. The Second Appe
	No.249/1988 is restored to its ori	
	Copy of this order be place	ed in Second Appeal No. 249/1988.
	Certified copy as per rules	معادم <u> میں بات کی بر</u> میں موج کے اور موج کے اور ان اور ان کی ایک ان ان کی ایک ان ان ان ان ا