

(16)

HIGH COURT OF CHHATTISGARH, BILASPUR

M.C.C. No.239/2005

APPLICANT

Nanki Ram, S/o Chhabi Lal Aghariya,
Cultivator, aged about 42 years, R/o
village Khamtarai, P.O., Baima, Tahsil
and District Bilaspur (C.G.)

Versus

NON-APPLICANTS

- 1 Krishna Kumar, S/o Jagatram Bhatt,
aged about 58 years, R/o Tarbahar,
Tahsil and District Bilaspur (C.G.)
- 2 State of M.P. at present C.G.
Through The Collector,
Bilaspur (C.G.)

**APPLICATION FOR RESTORATION OF CIVIL REVISION U/S 115 OF
C.P.C.**

Appearance:

Shri R.K. Tiwari, Counsel for the applicant.

Shri Shashank Thakur, Panel Lawyer for the State/respondent
No. 2.

ORAL ORDER
(24.10.2008)

Sunil Kumar Sinha, J.

Heard on M.(C).P. No.1648/2005, which is an application for
condonation of delay in filing the application for restoration of Civil
Revision No.2077/2000, dismissed for want of prosecution on
22/8/2005.

On due consideration of the submissions made by learned
counsel for the parties, the application is allowed and the delay in filing
the restoration application is hereby condoned.

Learned counsel for the parties are also heard on restoration
application.

(12)

This application has been filed for restoration of Civil Revision No.2077/2000, which was dismissed for want of prosecution on 22/8/2005.

On due consideration of the submissions made by learned counsel for the parties, I am satisfied that the absence of counsel for the applicant on 22/8/2005, when Civil Revision No.2077/2000 was taken up for hearing, was on bonafide grounds.

Accordingly, the MCC is allowed and the Civil Revision No.2077/2000 is restored to its original number.

Sd/-
Sunil Kumar Sinha
Judge