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HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI RAJEEV GUPTA, C.J.
HON'BLE SHRI SUNIL KUMAR SINHA, J.

Misc. Appeal No. 1029 of 2004

Appellant : Babla Khan @ Salamuddin aged
about 37 years, s/o Jamaluddin ward
No.7, behind the Maszid Gariyaband
tahsil Gariyaband distt. Raipur C.G.

VERSUS

Respondents 1 Kuldeep Tripathi s/o Ram Kishore
Tripathi aged about 23 years,
2 Vinod Kumar s/o Ram Kishore
Tripathi aged about 25 years, both
resident of Teacher Colony
Amdipara, tahsil Gariyaband, distt.
Raipur C.G.
3 The New India Assurance Company
Limited Kachahri Chowk, distt.
Raipur C.G.

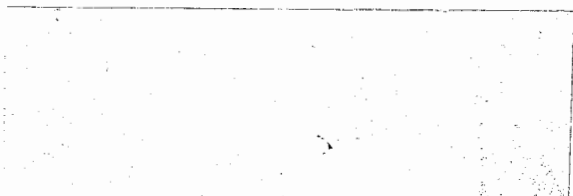
MEMORANDUM OF APPEAL UNDER SECTION 173 OF THE
MOTOR VEHICLES ACT

Present: Shri Y.C. Sharma and Shri Vivek Rathore, counsel for
the appellant.
Shri Anand Gupta, counsel for respondent No.3.

ORDER

(29th February, 2012)

The following order of the Court was passed by
Rajeev Gupta, C.J.





By allowing I.A. No.01/2010 vide order dated 23.11.2010, the appellant was directed to carry out the amendments within seven days from the date of passing of the order. Again, vide order dated 19.01.2012 the appellant was granted one more opportunity of two weeks for compliance of the order dated 23.11.2010.

2) The appellant has miserably failed in complying with the direction contained in the order dated 23.11.2010 though a period of more than one year has elapsed since then and inspite of grant of opportunity vide order dated 19.01.2012.

3) In this view of the matter, we do not find any justification in the prayer of learned counsel for the appellant for grant of further time for compliance of the order dated 23.11.2010.

4) The prayer of learned counsel for the appellant, therefore, is rejected.

5) Consequently, the appeal itself is dismissed for non-compliance of the order dated 23.11.2010.

Sd/-
Chief Justice

Sd/-
Sunil Kumar Sinha
Judge