

**MCC No.49/2014**

**Date: 28/8/2014**

Shri Manuraj Singh, learned counsel for the applicants.

Shri Sanjay Sharma learned counsel for the respondents No. 1 to 3.

Shri B. Deshmukh, learned counsel for respondent no.4.

Heard on IA No.1214/14 which is an application for dispensing with filing of Vakalatnama.

On due consideration, IA No. 1214/14 is allowed.

Also heard on IA No. 1213/14, which is an application for condonation of delay in filing the MCC as also on the merits of the MCC.

There is a delay of 8 months in filing the MCC.

This MCC has been filed for restoration of WP No. 4954/2013 which has been dismissed in default for non compliance of the peremptory order dated 3/5/2013.

After hearing the learned counsel for parties and on perusal of the application for condonation of delay, it is found that the delay in filing the MCC has properly been explained. Accordingly, the application for condonation of delay is allowed and the delay in filing the MCC is condoned.

The explanation which has been furnished by the learned counsel for applicant and reason which has been disclosed in the

MCC reveals that the non compliance of the peremptory order was unintentional and for the bona-fide reason. Accordingly, MCC is allowed and WP No. 4954/13 is restored to its original position.

C.c. as per rules.

**(Prakash Shrivastava)**  
**J U D G E**

*BDJ*