

**HIGH COURT OF MADHYA PRADESH**  
**BENCH AT INDORE.**

**M.C.C. No.1875/2018**

**Indore, Dt.31.08.2018**

Shri Sanjay Sharma, learned counsel for the applicants.

Shri Sunil Yadav, learned counsel for the respondents.

Heard on IA No.5339/2018, an application for condonation of delay and MCC for restoration of SA No.740/2009.

The present MCC is filed for restoration of SA No.740/2009.

In the aforesaid Second Appeal there was an order for payment of fresh process fee for service of notice to the respondent No.3.1 Mohinibai W/o Narayan.

Shri Sharma submits that she has already been served and Shri Sunil Yadav, has already filed the Vakalatnama on behalf of Mohinibai, therefore, there is no need for payment of fresh process fee but the office has wrongly dismissed this appeal.

Shri Sunil Yadav has not disputed this fact, hence, the delay in filing this MCC is hereby condoned.

On due consideration, present MCC is allowed. Second Appeal No.740/2009 be restored to its original number.

M.C.C. No.1875/2018 stands disposed off.

**(Vivek Rusia)**  
**Judge**

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