

MCC No. 1544 of 2018 (Restoration application)

In

SPA No. 697 of 2017

Hon'ble Ramesh Ranganathan, C.J.

Hon'ble Alok Singh, J.

Mr. Davesh Bishnoi, learned counsel for the appellants.

Ms. Prabha Naithani, Brief Holder for the State of Uttarakhand/ respondent nos.1, 3, 4 and 5.

Mr. V. K. Kaparwan, Advocate for the respondent no.2.

This application (MCC No.1544 of 2018) is filed to set aside the order passed earlier on 29.10.2018 dismissing the appeal for non-prosecution. The appellants seek restoration of this Special Appeal. In his affidavit dated 27.11.2018, the learned counsel for the appellant would submit that he was unable to appear before this Court on the day when the matter was called, and the writ petition was dismissed before he could reach the Court. He has tendered his unconditional apology, and has expressed his regret for the inconvenience caused to the Court.

As the counsel has expressed regret for his absence when the case was called, resulting in its dismissal for non-prosecution, we consider it appropriate to set aside the earlier order, and to restore this Special Appeal to the file.

(Alok Singh, J.) (Ramesh Ranganathan, C.J.)

30.11.2018

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Pant