

Serial No. 04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.M.C. No. 28 of 2022

Date of Decision: 30.05.2022

Smti. Dasara Suting

Vs.

Smti. Lina Kharsyntiew

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s)

:

Mr. P.K. Borah, Adv.

For the Respondent(s)

:

Mr. H.L. Shangreiso, Sr. Adv. with
Mr. A. Syiem, Adv.

ORAL:

1. Heard Mr. P.K. Borah, learned counsel for the petitioner as well as Mr. H.L. Shangreiso, learned Sr. counsel for the respondent.
2. This is an application for restoration of Crl.Rev.P. No. 1 of 2021 which was dismissed for default on 02.12.2021.
3. The learned counsel for the petitioner has submitted that on the date when this matter was posted before this Court i.e. on 02.12.2021, he was at his home town at Nagaon, Assam at the height of the pandemic and COVID-19 restriction and as such, could not travel to come to Shillong. It is also submitted that another petitioner's counsel who was also in the case was at Delhi, could not appear on the date when this matter was fixed. The absence of the learned counsels for the petitioner is not wilful, but for the reasons stated above, it is prayed that for ends of justice, this application may be

allowed and the main petition i.e. Crl.Rev.P. No. 1 of 2021 may be restored to file.

4. The learned Sr. counsel for the respondent has no objection to the prayer made and has also submitted that the main petition may be posted for hearing.

5. After hearing the parties, this Court is of the view that the ground cited by the learned counsel for the petitioner is a good ground and as such, the application for restoration is allowed and the said Crl.Rev.P. No. 1 of 2021 is hereby restored to file.

6. Registry is directed to list the main petition for hearing after 2(two) weeks.

7. Crl.M.C. No. 28 of 2022 stands disposed of.



Judge

Meghalaya
30.05.2022
"D. Nary, PS"