CGHC010320002026 2026:CGHC:39091

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 829 of 2026

1 - Lekh Ram Sahu Son Of Ganpat Ram Sahu, Aged About 42 Years Resident Of Ward No.01, Asiwara, Kranti Chowk, Durg, District Durg (C.G.)

2 - Khilendra Sahu Son Of Lekh Ram Sahu, Aged About 21 Years Resident Of Ward No.01, Asiwara, Kranti Chowk, Durg, District Durg (C.G.)

SAIFAN KHAN Digitally signed by SAIFAN KHAN

3 - Ku. Dipika Sahu, Daughter Of Lakh Ram Sahu, Aged About 19 Years Resident Of Ward No.01, Asiwara, Kranti Chowk, Durg, District Durg (C.G.)

... Petitioner

versus

1 - Samresh Ashish Benarji Son Of Late A.K. Benarji Aged About 42 Years Resident Of Gandhi Nagar,, Bhilai -3, District Durg Raipur (C.G.) (Driver And Owner Of Offending Vehicle Indica Vista Vista No. C.G.07, M.B. 1372) District Durg Chhattisgarh

2 - Manager The New India Insurance Company Ltd. Chouhan Estate Supela, Bhilai, District Durg Raipur (C.G.) (Wrongly Mentioned Owner) (Inaurer Of Offending Vehicle Indica Vista Vista No. C.G.07, M.B. 1372) District Durg Chhattisgarh

... Respondents

[Cause-title taken from Case Information System (CIS)]

For Applicant : Mr. Ajay Shrivastava, Advocate

Single Bench: Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03.09.2026

1. Heard on IA No.01, which is an application filed under Section 05 of the Limitation Act, 1963, seeking condonation of delay of 2 days in filing the present restoration application (MCC).

2. For the reasons mentioned in the application, I am of considered opinion that the applicant has shown sufficient cause in filing this restoration application (MCC) with a delay of 02 days and, accordingly, the same is liable to be condoned.

3. Consequently, the delay of 02 days in filing this restoration application (MCC) is hereby condoned. IA No.01 is **allowed**.

4. Also heard finally.

5. This MCC has been filed seeking restoration of MAC-1489-2019, which was dismissed for want of prosecution by order dated 07.07.2026.

6. For the reasons stated in the application, the same is allowed. MAC-1489-2019 is restored to its original number for hearing and disposal in accordance with law.

7. Accordingly, the MCC **allowed**.

Sd/-
(Sanjay K. Agrawal)
Judge

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