



2026:CGHC:13393

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 591 of 2023

Komal Kumar S/o Jeevanlal Aged About 56 Years R/o Village Ranwa,
Tahsil And District Dhamtari (C.G.)

... Petitioner(s)

versus

Ram Khilawan S/o Dauaram Satnami Aged About 58 Years R/o Village
Demar, Tahsil And District Dhamtari (C.G.)

... Respondent(s)

For Appellant(s)	:	Mr. Ashok Patil, Advocate
For Respondent	:	Mr. Bharat Lal Sahu, Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

20/03/2026

1. Heard on I.A. No. 01, an application for condonation of delay in filing the MCC.
2. The present MCC has been filed for restoration of F.A. No. 413/2019, wherein by order dated 06.11.2019, a peremptory order was passed granting six weeks' time to learned counsel for the appellant to remove the defects, failing which the appeal was to stand dismissed automatically without further reference to the Bench.

3. Learned counsel for the appellant submits that the appellant was not in contact with the previous counsel and was unaware of the dismissal of the appeal, therefore, the delay in filing the application is bona fide.
4. The present MCC has been filed with a delay of 1384 days. However, the application for condonation of delay has been filed without explaining the delay & laches by assigning sufficient and cogent reasons in filing the MCC (restoration application). In absence of any satisfactory explanation for the delay of 1384 days, the present MCC is liable to be dismissed on this ground alone.
5. Accordingly, the present MCC is dismissed.

SD/-
(Bibhu Datta Guru)
JUDGE