



2026:CGHC:18360

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 895 of 2025

- Smt. Bhagbati Bai D/o Gajanand Tamboli, Aged About 61 Years, R/o Village Tusda, Tahsil And District Mahasamund (C.G.)

... Applicant

versus

1. Hemlal Tamboli (Since Died) Through His Legal Heirs Nil
 - 1 (A) Asha Tamboli W/o Late Hemlal Tamboli Aged About 52 Years;
 - 1 (B) Shiva S/o Late Hemlal Tamboli Aged About 19 Years;
 - 1 (C) Jitendra S/o Late Hemlal Tamboli Aged About 21 Years;
 - 1 (D) Indu D/o Late Hemlal Tamboli Aged About 24 Years;

All above are R/o Village Tusda, Tahsil And District Mahasamund (C.G.)
2. State Of Chhattisgarh Through Collector, Mahasamund (C.G.).

... Respondents

For Applicant	:- Mr. Mayank Gupta, Advocate.
For State	:- Dr. S.K. Dewangan, Panel Lawyer.

SB- Hon'ble Shri Justice Sanjay K. Agrawal

Judgment On Board

22.04.2026

1. Heard on I.A. No.1, application for condonation of delay under Section 5 of the Limitation Act, 1963 as well as application for restoration of SA No.280 of 2011.

2. On 16.06.2021 this Court directed the applicant to rectify the defect(s) on or before 24th June, 2021 by passing peremptory order and due to non-compliance of that order SA No. 280 of 2011 has been dismissed.
3. After going through the applications, it appears that due to COVID-19 pandemic and lock-down restrictions the applicant could not be able to contact with the counsel and also at that time the counsel for the applicant was appeared before the Court through video conferencing. Therefore, on account of COVID-19 pandemic and lock-down restrictions he could not rectify the defect(s) in time which appears to be fair and reasonable. In that view of the matter, delay in filing the instant MCC is condoned. Further, MCC is allowed and SA No. 280 of 2011 is directed to be restored to its original number for hearing and disposal in accordance with law.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit