



2026:CGHC:13587



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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 129 of 2026**

1 - Baidyanath (Since Dead) Through Legal Representatives-

1.2 - Smt. Dayawati Patel W/o Late Baidyanath Aged About 71 Years R/o 566/7, Ward No. 19 Baniagaon, Post Baniagaon, Tehsil And District Kondagaon (C.G.)

1.3 - Meher Patel D/o Late Baidyanath Aged About 40 Years R/o Tamakoni Para, Aasna, Post Jagdalpur, Tehsil And District Bastar Jagdalpur (C.G.)

1.4 - Kishore Patel S/o Late Baidyanath Aged About 37 Years R/o 566/7, Ward No. 19 Baniagaon, Post Baniagaon, Tehsil And District Kondagaon (C.G.)

1.5 - Isha Patel D/o Late Baidyanath Aged About 34 Years R/o 566/7, Ward No. 19 Baniagaon, Post Baniagaon, Tehsil And District Kondagaon (C.G.)

1.6 - Hiram Patel D/o Late Baidyanath Aged About 30 Years R/o Kadam Para, Bade Kanera, Kondagaon, District Kondagaon C.G.

1.7 - Devika Patel D/o Late Baidyanath Aged About 24 Years R/o



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566/7, Ward No. 19, Baniagaon, Post Baniagaon, Tehsil And District
Kondagaon C.G.

... Petitioner(s)

versus

1 - Smt. Jamuna Bai W/o Bharat Dewangan, Aged About 71 Years
R/o Village Baniyagaon Tahsil And District Kondagaon (C.G.)

2 - Tulsidas (Dead) S/o Sukhram Through Legal Representative-

2.1 - Smt. Radhika, D/o. Late Tulsiram Dewangan R/o Sargipal, Para
Tahsil And District Kondagoan C.G.

2.2 - Kriparam Dewangan S/o. Late Tulsiram Dewangan R/o
Sargipal, Para Tahsil And District Kondagoan C.G.

2.3 - Gajendra Dewangan, S/o Late Tulsiram Dewangan R/o
Sargipal, Para Tahsil And District Kondagoan C.G.

3 - State Of Chhattisgarh Through Collector Kondagaon, District
Kondagaon C.G.

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s) :Shri Rahul Jha, Advocate.

For Respondent/State :Shri Malay Jain, Panel Lawyer.

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

23.03.2026



1. This MCC has been filed by the applicant seeking restoration of Second Appeal No. 91/2021, which was dismissed for want of prosecution vide order dated 17.09.2025.
2. Learned counsel for the applicant submits that on 17.09.2025, due to inadvertence, none appeared on behalf of the applicants. It is further submitted that the absence was bona fide and not intentional.
3. Considering the submissions made and the reasons stated in the application, this Court is of the view that the applicant has shown sufficient cause for non-appearance on the said date.
4. Accordingly, the present MCC is allowed, subject to payment of costs of Rs. 3,000/- (Rupees Three Thousand only) to the Chhattisgarh High Court Bar Association Library Fund.
5. Upon deposit of the aforesaid costs, Second Appeal No. 91/2021 shall stand restored to its original number.

Sd/-

(Bibhu Datta Guru)
Judge