

FA No. 59 of 2005

**Hon'ble Ravindra Maithani, J.**

Mr. Siddhartha Singh, Advocate for the appellant.

Mr. I.P. Kohli, Standing Counsel for the State of Uttarakhand.

Mr. Shobhit Saharia, Advocate for respondent no.2.

This first appeal was listed on 25.09.2020. On that date, in the absence of appellant, it was dismissed for non-prosecution.

Now, restoration application has been filed on the ground that learned counsel for the appellant could not appear on the date of hearing.

Having considered the matter, this Court is of the view that the matter may be heard on merits.

The order dated 25.09.2020 is recalled.

Let the appeal be restored to its original number.

Restoration application no.473 of 2020 is allowed accordingly.

Paper books have already been issued.

List after a week.

**(Ravindra Maithani, J.)**

21.11.2020

Ujjwal