

1  
**IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR**

**BEFORE  
HON'BLE SHRI JUSTICE DWARKA DHISH BANSAL**

**ON THE 25<sup>th</sup> OF JANUARY, 2024**

**MISC. CIVIL CASE No. 55 of 2024**

**BETWEEN:-**

**M/S KISHORE KUMAR AGRAWAL JALIYE THROUGH  
PROPRIETOR KISHORE KUMAR @BULLU SETH OCC.  
THEKEDARI R/O JANIO MANDIR CHOWK  
M A N E N D R A G A R H DISTRICT KORIYA(C.G.  
(CHHATTISGARH)**

**.....APPLICANT**

***(BY MS. RENU AGRAWAL - ADVOCATE)***

**AND**

- 1. PRATAP @ PRADEEP SINGH S/O SHRI SOBIND  
SINGH, AGED ABOUT 39 YEARS, R/O BHUMKAR  
TEHSIL JAIPUR DISTRICT SHAHDOL (MADHYA  
PRADESH)**
- 2. SMT KUSUMVATI D/O LATE MAJHALI URF  
SUMITRA W/O LAXMAN SINGH, AGED ABOUT 42  
YEARS, R/O KETRIYA TOLA POST KHARUA  
TEHSIL AND THANA JAIPUR JILA SHAHDOL  
(MADHYA PRADESH)**
- 3. SMT RADHA D/O LATE MAJHALI URF SUMITRA  
W/O CHAINU SINGH, AGED ABOUT 40 YEARS, R/O  
CHHAPRA TOLA THANA KESHWABI TEHSIL  
JAIPUR JILA SHAHDOL (MADHYA PRADESH)**
- 4. SMT INDRAVATI D/O LATE MAJHALI URF  
SUMITRA W/O KAMAL SINGH, AGED ABOUT 34  
YEARS, R/O BELIYA FATAK THANA BIJURI TEHSIL  
KOTMA JILA ANUPPUR (MADHYA PRADESH)**
- 5. SMT SOMWATI URF GUDDI D/O LATE SHRI  
MAJHALI URF SUMITRA W/O DEENDAYAL SINGH,  
AGED ABOUT 30 YEARS, R/O JAMGAO TEHSIL  
JAIPUR JILA SHAHDOL (MADHYA PRADESH)**
- 6. RAJKUMAR YADAV S/O RAJNATH YADAV**

OCCUPATION: TRUCK DRIVER R/O BORIDAND  
THANA MANENDRAGARH JILA KORIA  
(CHHATTISGARH)

7. BALDEV RAM MAURYA S/O SHRI DAHI RAM  
MAURYA R/O WARD NO.4 MANENDRAGARH  
THANA TEHSIL AND JILA MANENDRAGARH  
(CHHATTISGARH)

.....RESPONDENTS

.....  
*This application coming on for admission this day, the court passed the following:*

**ORDER**

Heard on I.A. No.1691/2024, which is an application under Section 5 of the Limitation Act for condonation of delay.

2. Registry has reported this MCC to be barred by 165 days.
3. For the reasons mentioned in the application, which is supported by an affidavit of the counsel for the applicant, there is sufficient cause for condoning the delay in filing of the M.C.C. As such, delay in filing the M.C.C. is hereby condoned and I.A. No.1691/2024 is **allowed/closed**.
4. Heard on the question of admission.
5. The present application has been filed for restoration of M.A.No.1277/2022, which was dismissed due to non compliance of common conditional order dated 01.05.2023.
6. Considering the averments made in the application, this Court finds that sufficient cause is shown for restoration of the misc. appeal. Accordingly, MCC is **allowed**.
7. M.A.No.1277/2022 is restored to its original number subject to payment of cost of Rs.500/- (Rupees Five Hundred Only) within a period of 7 working days payable to the State Legal Services Authority, Jabalpur.

8. The payment of cost of Rs.500/- (Rupees Five Hundred Only) shall be a condition precedent for restoration of M.A.No.1277/2022.
9. Pending application(s), if any, shall stand disposed off
10. A copy of this order be kept in the file of M.A.No.1277/2022.

**(DWARKA DHISH BANSAL)**  
**JUDGE**

SN

