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MCC-2733-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANJEEV SACHDEVA,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VINAY SARAF

ON THE 17th OF OCTOBER, 2025

MISC. CIVIL CASE No. 2733 of 2025

BIRENDRA KUMAR TIWARI

Versus

UNION OF INDIA AND OTHERS

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Appearance:

None for the applicant.

Shri Piyush Bhatnagar - Advocate for the respondents.
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ORDER

Per. Hon'ble Shri Justice Sanjeev Sachdeva, Chief Justice

I.A.No.21855/2025

This is an application for condonation of delay of 136 days in filing the present MCC.

For the reasons stated in the application, delay in filing the MCC is condoned and I.A. stands allowed.

MCC No.2733/2025

Applicant seeks restoration of W.A.No.782/2024, which was dismissed due to non-compliance of common conditional order.

Applicant submits in application that as the non-compliance of Court order is bonafide and not deliberate, it is well settled law that due to the mistake on the part of counsel, party should not be made to suffer. It is



further submitted that due to the un-awareness of the counsel for applicant, the default raised by the Registry could not be cured within time period stipulated by the Registry.

In view of the above submissions made in the application by the applicant, Registry is directed to restore W.A.No.782/2024 to its original number.

Applicant shall cure the defects within one week, if any.

Accordingly, the MCC is disposed of.

Registry is directed to place the copy of this order along with the record of W.A.No.782/2024.

(SANJEEV SACHDEVA)
CHIEF JUSTICE

(VINAY SARAF)
JUDGE

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