CGHC010420032026 2026:CGHC:47268

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**MCC No. 1051 of 2026**

**1 -** Smt. Asha Devi W/o Patiram Sao Aged About 51 Years R/o 6 / 675, Nageshwar Nagar, Near Kabir Stambh, Birgaon, Urla, Tehsil And District Raipur (C.G.) (Owner).

**2 -** Patiram Sao S/o Umashankar Sao Aged About 56 Years R/o 6 / 675, Nageshwar Nagar, Near Kabir Stambh, Birgaon, Urla, Tehsil And District Raipur (C.G.) (Driver).

**... Applicants**

**versus**

**1 -** Mahesh Kumar Dewangan S/o Late Ramhau Dewangan Aged About 66 Years (Husband Of The Deceased), By Caste Koshta, Occupation - Tailor R/o Village - Riwagahan, Post - Pendri, Police Station - Lalbagh, Tehsil And District - Rajnandgaon (C.G.).

**2 -** Poonam Kumar Dewangan S/o Mahesh Kumar Dewangan Aged About 48 Years (Son Of The Deceased) By Caste - Kosta, Occupation - Daily Wager R/o Village - Riwagahan, Post - Pendri, Police Station - Lalbagh, Tehsil And District - Rajnandgaon (C.G.).

**3 -** Deepak Kumar Dewangan S/o Mahesh Kumar Dewangan Aged About 45 Years (Son Of The Deceased) By Caste - Kosta, Occupation - Daily Wager R/o Village - Riwagahan, Post - Pendri, Police Station - Lalbagh, Tehsil And District - Rajnandgaon (C.G.).

**4 -** Mukesh Kumar Dewangan S/o Maesh Kumar Dewangan Aged About 42 Years (Son Of The Deceased) By Caste - Kosta, Occupation - Daily Wager R/o Village - Riwagahan, Post - Pendri, Police Station - Lalbagh, Tehsil And District - Rajnandgaon (C.G.).

**5 -** Smt. Sangeeta Dewangan W/o Radhelal Dewangan Aged About 42 Years (Daughter Of The Deceased) By Caste - Kosta, Occupation - House Wife, R/o Village - Markaamtola, Post - Singarpur, Police Station - Khairagarh, Tehsil And District - Rajnandgaon (C.G.).

**6 -** Branch Manager I C I C I Lombard, Address - Unit No. 304-306, Third Floor, Lalganga Shopping Mall Road, G. E. Road, - Raipur, District - Raipur (C.G.) (Insurance Company).

**... Respondent(s)**

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For Applicant : Mr. Ravikar Patel, Advocate.
For Respondents : Not noticed.

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**Hon'ble Shri Justice Sanjay Kumar Jaiswal**

**Order on Board**

**(17.11.2026)**

1. Heard on admission.
2. Admit.
3. On 25.08.2026 and 06.10.2026, this Court, upon noting that none had appeared on behalf of the applicants despite repeated calls, had no other option but to dismiss MAC No. 1929/2026 for want of prosecution.
4. Learned counsel appearing for the applicants submits that, on 06.10.2026, he was travelling to Raipur and was, therefore, unable to remain present before this Court when the matter was called.
5. Having considered the submissions advanced by learned counsel for the applicants, the grounds stated in the restoration application and the fact that there was a delay of 2,345 days in preferring the main appeal, i.e., MAC No. 1929/2026, this Court is of the considered view that the application for restoration deserves to be allowed subject to payment of costs.
6. Accordingly, the prayer for restoration of the appeal is allowed. MAC No. 1929/2026 is restored to its original number, subject to the applicants depositing costs of Rs. 20,000/- by way of cheque in favour of one of the claimants before the concerned Tribunal within a period of 21 days from today.
7. Accordingly, the MCC is disposed of.

Sd/-

**(Sanjay Kumar Jaiswal)**
**Judge**

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