

(2022) 06 JH CK 0031

In the Jharkhand High Court

Case No : Criminal Miscellaneous Petition No. 971 Of 2022

New India Assurance Company Ltd

APPELLANT

Vs

Shushma Devi And Others

RESPONDENT

Date of Decision : 24-06-2022

Acts Referred:

Citation : (2022) 06 JH CK 0031

Hon'ble Judges : Sanjay Kumar Dwivedi, J

Bench : Single Bench

Advocate : G.C. Jha

Final Decision : Allowed

Judgement

Sanjay Kumar Dwivedi, J

I.A. No.4878 of 2022 has been filed for condonation of delay of 188 days in filing the instant application which is filed for restoration of M.A. No.681 of 2018 which stood dismissed on 16.05.2019 for non-compliance of the order dated 02.05.2019.

It has been pointed out at paragraph nos.3 and 4 that due to marriage of the daughter of the conducting advocate who was busy on account of his daughter's marriage and it was slipped from the mind of conducting advocate and he could not comply the order which was peremptory in nature.

In view of the above and looking into paragraph nos. 3 and 4 of the I.A petition, it appears that sufficient grounds have been made out to condone the delay of 188 days in filing the instant petition.

Accordingly, the delay is condoned and the instant I.A petition is allowed and disposed of.

The instant C.M.P. has been filed for restoration M.A. No.681 of 2018 which stood dismissed for non-compliance of the order dated 02.05.2019.

Mr. G.C. Jha, the learned counsel appearing for the petitioner submits that the order was to file the requisites within two weeks and that order was peremptory in nature. He further submits that due to marriage of the daughter of conducting advocate it slipped from the mind of the conducting advocate and requisites were not filed in time.

In view of the above, it appears that sufficient grounds have been made out for restoration of M.A. No.681 of 2018.

Accordingly, M.A. No.681 of 2018 is restored to its original file.

The instant C.M.P stands allowed and disposed of.