

**Devendra Jain Vs. the State of Madhya Pradesh**

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**SooperKanoon Citation :** [sooperkanoon.com/1041729](http://sooperkanoon.com/1041729)

**Court :** Madhya Pradesh

**Decided On :** Jan-29-2013

**Appellant :** Devendra Jain

**Respondent :** The State of Madhya Pradesh

**Advocate for Pet/Ap. :** Shri. Vivek Agarwal

**Judgement :**

1 M.Cr.C.No.15418/12 29/1/2013 Shri Vivek Agarwal, counsel for the petitioner.

Smt.

Nirmala Nayak, Government Advocate for the respondent / State.

This petition has been preferred under Section 482 of Cr.P.C for restoration of M Cr.

C No.5100/2012, dismissed for want of prosecution on 2.7.2012 by this Court.

Learned counsel for the petitioner filed an affidavit in support of this petition, disclosing the cause of absence, simply inadvertence on his part so that he himself could not see his case in the Cause List not only once, but twice.

Such inadvertence is not expected from a lawyer.

In view of the fact that he is keen interested and willing to take the matter wholeheartedly and no party should be put to loss for lapses of the counsel, petition is allowed.

M.Cr.C No.5100/12 is restored to its original number.

So far as this M.Cr.C is concerned, it stands disposed of.

CC as per rules.

(Tarun Kumar Kaushal) JUDGE dcs/- 2

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