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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 964 of 2026

Surendra Kumar Gupta S/o Gopal Prasad Gupta Aged About 51 Years R/o House No. 1476, Gopal Shivam Bhawan, Baba Nayar Gali, Upadhyay Nagar, Gudiyari, Near Anmol Vihar, Raipur, District - Raipur (C.G.)

... Petitioner(s)

versus

1 - Union Of India Through The Director General, Railway Protection Force, Railway Protection Force Control Room Railway Board New Delhi, 110001

2 - Inspector General Cum Chief Security Commissioner, Railway Protection Force, South East Central Railway Zone Bilaspur, Division Bilapur, District - Bilaspur (C.G.)

3 - Commissioner Senior Divisional Security Commissioner - Railway Protection Force, Raipur, South Eastern Railway, Division Raipur, District Raipur (C. G.)

**4 - Assistant Security Commissioner-1 Railway Protection Force,
Raipur, South East Central Railway, Division Raipur, District - Raipur
(C.G.)**

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	: Shri Ajit Kumar Singh, Advocate
For Respondent(s)	: Ms. Shweta Rai, Central Govt. Counsel

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

14.10.2026

1. Heard on application for condonation of delay in filing this MCC.
2. On due consideration and for the reasons stated in the application for condonation of delay, the same is allowed.
Delay in filing the MCC is hereby condoned.
3. This MCC has been filed for restoration of WPS No. 5212 of 2026, which came to be dismissed for non-compliance of the order dated 10.07.2026 passed by this Court.
4. Learned counsel for the applicant submits that the aforesaid writ petition was listed before this Court on 10.07.2026, when this Court granted one week's peremptory time to cure the defects pointed out by the

Registry, failing which the writ petition was to stand dismissed automatically. It is submitted that the applicant's counsel rectified the defect relating to filing of typed copies of the annexures; however, the defect pertaining to correction of the cause title inadvertently remained unrectified. Consequently, the writ petition came to be dismissed for non-compliance of the order dated 10.07.2026 vide order dated 03.08.2026.

5. Learned counsel for the applicant further submits that the remaining defect could not be rectified due to inadvertence and oversight and that the omission was neither intentional nor deliberate. An apology has been tendered for the aforesaid non-compliance. Learned counsel, therefore, prays that the order dated 03.08.2026 be recalled and WPS No. 5212 of 2026 be restored to its original number.
6. I have heard learned counsel for the applicant and perused the material available on record.
7. Considering the facts and circumstances of the case and the explanation furnished by learned counsel for the applicant, this Court is satisfied that the non-compliance of the order dated 10.07.2026 was inadvertent and that

sufficient cause has been shown for restoration of the writ petition. The applicant deserves an opportunity to prosecute the matter on its merits.

8. Accordingly, this MCC is allowed, the WPS No. 5212 of 2026 was dismissed for non-compliance of the order dated 10.07.2026, shall stand recalled, and WPS No. 5212 of 2026 shall be restored to its original number.
9. The MCC stands disposed of accordingly.

Sd/-

**(Bibhu Datta Guru)
JUDGE**

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