

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 278 of 2015**

1. M/s Rathi & Company Through The Partner, Mohan Lal Rathi, R/O M.I.G. 77, Padmnabhpur, Durg, Chhattisgarh

---- Applicant**Versus**

1. State of Chhattisgarh Through The Secretary, Commercial Tax Department, Mantralaya, Raipur, (Chhattisgarh)
2. Deputy Commissioner of Commercial Tax, Durg (Chhattisgarh)
3. Commercial Tax Officer, Circle I, Durg (Chhattisgarh)
4. General Manager, Bhilai Steel Plant, Bhilai, District Durg (as Necessary Party) Chhattisgarh

---- Respondents

For Applicant. - Mr. Varun Sharma, counsel.

For Respondents No. 1 to 4. - Mr. Mahesh Mishra, Panel Lawyer for the State.

Hon'ble Shri Justice T. P. Sharma
Hon'ble Shri Justice Inder Singh Uboweja

Order On Board
(20/04/2015)

Per T.P. Sharma, J

1. This is an application for restoration of W.P.No.3981/2006, dismissed for non compliance of order dated 05.08.2013 by the learned Single Judge.
2. Present application has been filed after 558 days of its limitation.
3. Heard on I.A.No.01/2015, an application for condonation of delay in filing the application.
4. On 05.08.2013, counsel for the petitioner was present, but petitioner has failed to comply the order within stipulated time. Thereafter, the applicant has filed present application after a delay of 558 days, which shows reluctance of the applicant.

5. For considering the claim of the petitioner, I.A.No.01/2015 is allowed subject to payment of cost of Rs.10,000/- to the High Court Legal Aid Committee, within 15 days from today.

6. W.P.No.3981/2006, dismissed for non compliance of order dated 05.08.2013 by the learned Single Judge, be restored to its original number, if the aforesaid cost is paid within the stipulated period.

**Sd/- Sd/-
JUDGE JUDGE**

Vijay