

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No.516 of 2015

1. Dharam Dev Singh son of Arjun Singh, aged about 60 years, resident of Supela, Tahsil & District Durg (CG)
2. Kamal Dev Singh, S/o. Arjun Singh, aged about 58 years, resident of Supela, Tahsil & Distt. Durg (CG)

---- Applicants

Versus

1. The Commissioner, Municipal Corporation, Bhilai, District Durg (CG)
2. The State of Chhattisgarh, through the Secretary, Town Planning Department, DKS Bhawan, (now Mahanadi Bhawan, New Raipur)

---- Respondent

For Applicants	: Shri BP Singh, Advocate.
For respondent No.2.	: Ms. Pushpa Dwivedi, Panel Lawyer.

Order On Board

14/07/2015

Heard on IA No.01, application for condonation of delay in filing the MCC.

2. The instant MCC has been preferred after 926 days of its limitation.
3. The MCC has been preferred for restoration of WP(C) No.504 of 2011 which was dismissed for want of prosecution on 10.9.2012.
4. Learned counsel for the applicants submits that the counsel who earlier represented the applicants did not inform regarding dismissal of the aforesaid writ petition. The applicants came to Bilaspur on 25.6.2015 and enquired about the status of the case, then they came to know about the dismissal of their petition. Thereafter they immediately applied for the certified copy of the order and after receiving it, they filed the instant MCC.
5. Though the application for condonation of delay is supported by affidavit, the fact is not mentioned whether for this alleged act any

proceedings were initiated before the concerned authority regarding alleged professional misconduct.

6. On due consideration, as the instant MCC has been preferred after 926 days of its limitation, I am not inclined to condone the delay. Consequently, IA No. is dismissed as not maintainable. Consequently, MCC is also dismissed as barred by time. No order as to cost.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE