

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 404 of 2015**

Mahesh Nagwani S/o Shri Kalyan Das Nagwani, aged about 37 years, R/o House No. 44, Lohani Gali, Aamapara, Kanker, Police Station and Tahsil Kanker, District North Bastar Kanker Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. State of Chhattisgarh, Through Secretary, Department of Forest and Environment, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. Collector and In-Charge Officer Complaint Branch, Office at Uttar Bastar Kanker, District Kanker, Chhattisgarh.
4. Dr. Devend Kumar Turre S/o Late Ramnarayan Turrey, aged about 53 years, Chief Medical and Health Officer, Kanker, District Kanker, Chhattisgarh.
5. Inder Ramrakhyani S/o Hari Ramrakhyani, aged about 50 years, Allahabad Bank Rajbandha Road, Dhamtari, Shri Shakti Construction, Dhamtari, District Dhamtari, Chhattisgarh.

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For Appellant	:	Shri Yogesh Chandra, Advocate.
For Respondent/State	:	Shri C.D.Singh, Additional Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Judgment on Board**Per Navin Sinha, Chief Justice****27/08/2015**

1. I.A. No. 1 of 2015 has been filed to condone delay of 4 days in preferring the appeal. Considering the duration, delay is condoned.

2. Learned Counsel for the Appellant submits that no contempt application would lie in the nature of the order passed in Writ Petition (PIL) 40 of 2014. Writ Petition (Criminal) No. 119 of 2015 was withdrawn inadvertently as the Appellant realised later that no contempt application would lie against the order passed in the earlier writ petition.

3. The Learned Single Judge has held that Writ Petition (Criminal) No. 119 of 2015 was withdrawn without any liberty and therefore, MCC application for restoration of the writ petition was not maintainable.

4. We find no reason to interfere. The appeal is dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE