

HIGH COURT OF CHHATTISGARH, BILASPUR

ORDER SHEET

CRMP No. 1109 of 2016

Gyanchand Jain S/o Bhola Ram Jain, aged about 39 years, R/o Avasiya Mohalla, Jaalbandha Police Station Khairagarh, Distt. Rajnandgaon (CG).

---- Applicant

Versus

State of Chhattisgarh through Station House Officer, Police Station, Jaalbandha, Khairagarh, District Rajnandgaon (CG).

---- Respondent

06/10/2016	Ms. K. Tripti Rao, Advocate for the applicant. Shri Satish Gupta, Govt. Advocate for the State. The present application has been filed under Section 482 CrPC seeking for restoration of earlier CrMP No.807 of 2016 which got dismissed on account of peremptory order passed by this court on 01.08.2016. Learned counsel appearing for the applicant submits that this court had passed peremptory order on 01.08.2016, however, the applicant could not cure the defaults as pointed out by the Registry due to bonafide reasons. She further submits that on account of dismissal of CrMP No.807 of 2016, the applicant has been rendered remedy-less for assailing the order under challenge in the said CrMP. However, she prays for two weeks time to remove the said defaults in CrMP No.807 of 2016. Considering the facts and circumstances of the case, this court is of the opinion that satisfactory explanation has	

been given for non removal of defaults within the time granted. Accordingly, present application is allowed and CrMP No.807 of 2016 is restored to its original number subject to applicant's curing the defaults pointed out by the Registry within a period of two weeks starting from 17th October, 2016. List CrMP No. 807 of 2016 for further consideration in the week commencing 15th December, 2016.

Sd/-
(P. Sam Koshy)
JUDGE