

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.C.C. NO. 870 OF 2016

Sunil Sahu, S/o Shri Bhandari Ram Sahu, aged about 32 years, Constable No. 351, P.S. Bagicha, District Jashpur (C.G.)

... Applicant

Versus

1. State of Chhattisgarh, through Secretary, Home Department, Mantralaya, P.S. Rakhi, Tahsil Aarang, Naya Raipur, District Raipur (C.G.)
2. Director General of Police, Police Head Quarters, Raipur, District Raipur (C.G.)
3. The Inspector General of Police, Sarguja Range, Sarguja Division, Ambikapur, District Sarguja (C.G.)
4. Superintendent of Police, Jashpur, District Jashpur (C.G.)

... Respondents

For Applicant	:	Mr. C.J.K. Rao, Advocate.
For Respondents	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

25/11/2016

1. The present application has been filed by the Applicant seeking for the restoration of Writ Petition (S) No. 2586 of 2013 which got dismissed on account of peremptory order dated 17.7.2015 passed by this Court in the said writ petition.
2. The present application has been filed with a delay of 447 days and therefore I.A. No.1 of 2016 has been filed by the Applicant for condoning the delay in the filing of the present application.
3. Counsel for the Applicant submits that the original writ petition in fact was filed challenging the order of termination and in the event if the said petition is not restored the Applicant/Petitioner would find it difficult to further challenge the same before any other forum and therefore he prays for the condonation of delay occurred in the filing of the present application for restoration.

4. Considering the facts and circumstances of the case, I.A. No.1 is allowed and the delay of 447 days caused in the filing of the present application is condoned.

5. Heard on merits.

6. For the reasons assigned in the application for restoration of Writ Petition (S) No. 2586 of 2013 and also taking into consideration the submission made by the Counsel for the Applicant that the default which has been pointed out by the Registry of this Court also having since been cured, the application for restoration is allowed.

6. Accordingly, the Writ Petition (S) No. 2586 of 2013 is directed to be restored to its original number for further hearing.

7. No order as to costs.

Sd/-
(P. Sam Koshy)
Judge