

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 226 of 2016

1. Nakul Rakesh, S/o Ramnath Rakesh Kahara, Aged about- 29 years, R/o Tikrapara Bilaigarh, Tehsil Bilaigarh, Distt.- Balodabazar-Bhatapara, Chhattisgarh.

---- Petitioner

Versus

1. Smt. Gend Bai, W/o Pooran, Aged About 59 years, D/o Jhhoorooram Suryavanshi, R/o Janjgir at present residing at Dhawalgiri Awasiya Parisar H.T.P.C. Colony Darri, Tehsil-Katghora, District-Korba, Chhattisgarh.
2. Dr. Santosh Modi S/o Late Matadeen Modi, Aged About- 35 years, R/o Chandaniyapara near Hanuman Mandir, Janjgir, Tehsil- Janjgir, District- Janjgir-Champa, Chhattisgarh.
3. State of Chhattisgarh, Through Collector, Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Respondents

For Petitioner – Shri Atul Kumar Kesharwani, Advocate.

For Respondents 1 and 2 – None, not noticed.

For Respondent No.3 – Shri S.C.Khakhariya, Deputy Advocate General, on advance copy.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

01/04/2016

1. Heard.
2. Issue notice.
3. Shri S.C.Khakhariya, Deputy Advocate General for the State accepts notice on behalf of respondent No.3.
4. Learned counsel for the petitioner submits that application, I.A.No.1/2016, for condonation of delay in filing the instant M.C.C. may be dismissed as withdrawn as the instant M.C.C. has been preferred within its limitation and there is no any requirement to file the said application.

5. On due consideration, I.A.No.1/2016 for condonation of delay in filing the M.C.C. is hereby disposed of as withdrawn.
6. Also heard on the instant M.C.C.
7. It is submitted that the order passed in WP227 No.858 of 2015 dated 14-12-2015 be amended and case number of the civil suit mentioned therein as Civil Suit No. 23-A/2015 be modified as Civil Suit No.22-A/2015 since the same has been mentioned on account of typographical mistake.
8. Perused the petition filed in WP227 No.858/2015 and the documents annexed, it goes to show that on account of typographical mistake Civil Suit No.23-A/2015 is written in para 2 of the order dated 14-12-2015, whereas, the correct number of the civil suit is 22-A/2015.
9. On due consideration, the instant M.C.C. is hereby allowed. It is directed that in order passed in WP227 No.858/2015 dated 14-12-2015 in para 2 instead of Civil Suit No.23-A/2015, it be read and modified as Civil Suit No.22-A/2015.
10. With the above modification, the instant M.C.C. is allowed.
11. No order as to cost.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE