

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 1018 of 2015

- Ashok Kumar Jaiswal S/o Shri Laxmi Narayan Jaiswal Librarian, Aged About 58 Years, R/o Hardi Bazar Khathora, District- Bilaspur M.P. (Now District Korba, Chhattisgarh)

---- Applicant

Versus

1. Principal, Gramya Bharati Vidyapeeth Hardi Bazar Tahsil Katghora, District Bilaspur M.P. (Now District Korba, Chhattisgarh)
2. Presiding Officer, Labour Court, Bilaspur, Chhattisgarh

---- Respondents

For Applicant	:	Shri Vishnu Koshta, Advocate
For Respondent No.1	:	Shri Manoj Yadav, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

14/03/2016

I.A. No.1

This is an application for condonation of delay in filing the restoration application.

This MCC for restoration of WP No.4127/1996 is barred by 3463 days.

Shri Koshta, learned counsel for the applicant would refer to the document Annexure R-3 which is an extract of the register of the High Court maintained for entering the filing of documents in writ petition. He would submit that he had filed vakalatnama along with application for urgent hearing on 26-3-02, however, at the time of hearing of the writ petition his name was not published in the cause-list. He would submit that in the said situation the petitioner could not have been represented by him at the time of hearing on 10th May, 2006.

Learned counsel for the respondent would submit that the institution Gramya Bharati Vidyapeeth Hardi Bazar has since been taken over by the State

Government.

It appears, the non-appearance of the counsel was on account of non-publication of his name in the cause-list, therefore, there exists bona fide reasons and proper explanation for his non-appearance.

The delay in filing this MCC deserves to be and is hereby condoned.

M.C.C. No.1018 of 2015

This is an application for restoration of WP No.4127/1996 which was dismissed for want of prosecution vide Court order dated 10-5-06.

On due consideration and for the reasons mentioned in the restoration application, it is allowed and WP No.4127/1996 is directed to be restored to its original number.

Sd/-

Judge

Prashant Kumar Mishra

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