

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 942 of 2015

- Shri Radhe Govind S/o Shri Babbulal, Aged 50 Years, Working As Accountant, Office Of District Malaria Officer, Ambikapur District- Surguja (M.P.) Now Chhattisgarh

---- Petitioner

Versus

1. State Of Madhya Pradesh , Through Secretary, Health And Family Welfare Department, Vallabh Bhawan, Bhopal (M.P.)
2. Joint Director Of Health Services Bilaspur, Division Bilaspur, Chhattisgarh
3. Chief Medical Officer, Ambikapur, District- Surguja, (M.P.) Now Chhattisgarh
4. District Health Officer, Shri S.C.Shrivas, Ambikapur, District- Surguja, Chhattisgarh
5. District Malaria Officer, Surguja, Chhattisgarh

---- Respondent

For Petitioner	Mr. Vijay Kumar Sahu, Advocate
For Respondent/State	Mr. P.K. Bhaduri, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

28/3/2016

Heard.

This MCC is filed for restoration of WPS No.1152 of 2005. The MCC is barred by 2128 days, for which, IA No.01, an application for condonation of delay, is filed.

OA No.2291 of 1995 was preferred before the MPSTAT, Jabalpur in the year 1995. Upon transfer of the case to this Court, it was renumbered as WPS No.1152 of 2005, which was listed for the first time before this Court on 10.11.2009 and on that very day, the matter was dismissed for want of prosecution.

Learned counsel for the petitioner would submit that the applicant did not receive any notice either from his previous counsel or by this Court, when the case was transferred and listed for hearing.

On due consideration, IA No.01, an application for condonation of delay in filing the MCC, is allowed and the delay is condoned.

Consequently, the MCC is also allowed and WPS No.1152 of 2005 is directed to be restored to its original number.

Sd/-

Judge

(Prashant Kumar Mishra)

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