

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 772 of 2016**

1. Heera Singh S/o Thakur Ram Sahu, Aged About 59 Years R/o Village Ghoghra, P.S. & Tahsil Pithora, Civil & Revenue District Mahasamund, Chhattisgarh
2. Anil Kumar S/o Daya Singh, Aged About 42 Years R/o Village Kouhakuda, Patwari Halka No.10, P.O. Samhar, Via Pithora, P.S. & Tahsil Pithora, Civil & Revenue District Mahasamund, Chhattisgarh
3. Smt. Pushpa Bai W/o Anil Kumar Singh, Aged About 40 Years R/o Village Kouhakuda, Patwari Halka No.10, P.O. Samhar, Via Pithora, P.S. & Tahsil Pithora, Civil & Revenue District Mahasamund, Chhattisgarh

---- Applicants**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, District Raipur, Chhattisgarh
2. The Commissioner, Raipur, Division, Raipur, Chhattisgarh
3. The Collector, Mahasamund, District Mahasamund, Chhattisgarh
4. The Sub-Divisional Officer (Revenue), Pithoura, District Mahasamund, Chhattisgarh
5. Tula Ram Gond S/o Maya Ram Gond, Aged About 47 Years R/o Village Kouhakuda, Revenue Inspection Board Khallari, P.S. & Tahsil Bagbahra, District Mahasamund, Chhattisgarh
6. Tek Ram Gond S/o Maya Ram Gond, Aged About 43 Years R/o Village Kouhakuda, Revenue Inspection Board Khallari, P.S. & Tahsil Bagbahra, District Mahasamund, Chhattisgarh
7. The Branch Manager, Chhattisgarh Rajya Sahakari Bhumi Vikas Bank, Station Road, Tahsil Bagbahra, District Mahasamund, Chhattisgarh
8. The District-In-Charge Officer, Chhattisgarh Rajya Sahakari Bhumi Vikas Bank, Station Road, Tahsil Bagbahra, District Mahasamund, Chhattisgarh

---- Respondents

For Applicants

Mr. Sumeet Shrivastava, Advocate

SB: Hon'ble Shri Justice P.Sam Koshy

Order On Board

25.10.2016

1. Heard on I.A. No. 1/2016 which is an application for condonation of delay.
2. For the reasons assigned for condonation of delay in the said application and the same found to be satisfactory, I.A. No. 1 is allowed. Delay of 384 days in filing the present M.C.C. is condoned.
3. The present M.C.C. has been filed seeking restoration of WP(C) No. 1540/2013 which was dismissed by the peremptory order passed by this Court on 28.07.2015.
4. Learned Counsel for the Applicants submits that due to some unavoidable circumstances the default could not be cured. He further prays that the default shall be cured within a period of week subject to the present M.C.C. is allowed.
5. Accordingly, the present M.C.C. stands allowed.
6. The Writ Petition i.e. WPC No. 1540/2013 is restored to its original number subject to the curing of the default which has been pointed out in WPC No. 1540/2013, within a period of 2 weeks from today.
7. If the default is not cured within a period of 2 weeks from today, the order passed in the present M.C.C. shall not come into force.
8. With the aforesaid observation the present M.C.C. stands disposed.

Sd/-

**(P. Sam Koshy)
JUDGE**