

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 800 of 2016

1. Chhattisgarh State Power Distribution Company Ltd. Through its Assistant Engineer (Vigilance), C.G. State Power Distribution Company Limited, Charoda, District Durg (CG)

---- Applicant/Appellant

Versus

1. Ramesh Tamrakar, son of Late Gulab Chand Tamrakar, aged about 38 years, resident of Qtr. No. MA 24, Padam Nagar, Bhilai – 3, Tehsil – Patan, District – Durg (CG)

----Non-applicant/Respondent

For Applicant – Shri Manish Nigam, Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

07-12-2016

1. The instant MCC has been preferred after 207 days of its limitation for a prayer to restore Civil Revision No.102/2013 dismissed for want of prosecution on 05-02-2016.
2. Heard on I.A.No.1/2016 for condonation of delay.
3. Learned counsel for the applicant would submit that the dismissal of said civil revision came to the notice of counsel for the applicant only on 23-09-2016 when the applicant department enquired about the status of said revision and then dismissal for non-prosecution on 05-02-2016 was surfaced. Thereafter, after obtaining the certified copy of the order, the applicant preferred the instant MCC for a prayer to restore the civil revision. Hence, it is prayed that the delay may be condoned and the MCC may be heard on its merit.
4. Perused the order dated 05-02-2016. In said civil revision, present applicant had been represented through counsel. On perusal of facts mentioned in I.A.No.1/2016, reasons shown for date of knowledge is not satisfactory. As per procedure of law, cause list is published, counsel duly represented. It shall be duty of the party to take up and know about the listing

of the matter. In absence of any satisfactory cause, in the considered view of this Court, I.A.No.1/2016 is not maintainable, hence, the same is hereby dismissed. Consequently, the MCC also stands dismissed being barred by limitation by 207 days.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE