

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 497 of 2016

- Anjor Das Satnami S/o Shri Kartik Ram Satnami, Aged About 48 Years, R/o Village Kirwai, Tahsil Rajim, District Raipur, Now District Gariaband, Chhattisgarh

---- Applicant

Versus

1. Smt Singara Bai Wd/o Late Girwar Satnami, Aged About 76 Years,
2. Pawan Diwan S/o Late Shri Sukhram Dhar Diwan, Aged About 63 Years

Both R/o Village Kirwai , Rajim, District Raipur, Now District Gariaband, Chhattisgarh

3. State of Chhattisgarh Through Collector, Raipur, Chhattisgarh

---- Respondents

For Applicant :
For State :

Shri S.K. Dadsena, Advocate
Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order On Board

26/09/2016

1. The present MCC has been filed seeking for some correction in the order dated 07/12/2012 passed by the learned Single Bench of this Court bearing Second Appeal No. 83/2007.
2. Counsel for the applicant submits that he has moved present MCC in the light of an order passed by the Hon'ble Supreme Court dated 29/01/2016.
3. According to the counsel for the applicant his client has instructed him that the Supreme Court has given direction to get the order of the High Court passed in Second Appeal No. 83/2007 corrected. That has made him to file the present MCC.
4. However, a perusal of the order dated 29/01/2016 of the Hon'ble Supreme Court

does not disclose any such observation of the Hon'ble Supreme Court and it only reflect the Hon'ble Supreme Court to have passed an order at the instance of the petitioner seeking four weeks time to file additional documents.

5. Since the impugned order dated 07/12/2012 passed in Second Appeal No. 83/2007 is still pending consideration before Hon'ble Supreme Court, this Court is of the opinion that, this Court may not have the power for modification of order dated 07/12/2012 passed in Second Appeal No. 83/2007 does not arise as the order infact has attained finality and is under challenge before the Supreme Court. Thus there is nothing which this Court can do in an MCC.

6. Accordingly the present MCC stands disposed of.

Sd/-
(P. Sam Koshy)
Judge