

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 39 of 2016

Yuvraj Singh, S/o. Late Amar Nath Singh, Now Aged About 64 Years,
Now R/o. Radhika Nagar, Behind Slaughter House, P.S. Supela, Bhilai,
District Durg (Chhattisgarh)

---- Petitioner

Versus

1. Dr. Arun Madhariya (Gold Medalist), Orthopedics, Through : Gayatri Hospital, Om Parisar Durg, Tahsil & District Durg (Chhattisgarh).
2. Dr. Kalyan Sahu, Through : Gayatri Hospital, Om Parisar Durg, Tahsil & District Durg (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Uttam Pandey, Advocate
For State	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23.11.2016

Heard

1. It is reported that the original case file of Criminal Case No.299/2012 was missing/ got lost. The petitioner claims that he has filed a complaint case and he has been asked to file another complaint since the original case has been lost.
2. The petitioner submits that he has all the copies of the documents which were filed, therefore, the petitioner/ complainant may be allowed to give the documents so that the Trial Court may reconstruct the file.
3. Perusal of the order sheet shows that the case was pending for the original record. Admittedly, the original record has been lost, as would be evident from the noting of the Registrar Judicial. As per the circular existing in this regard, the Trial Court may reconstruct

the file in exercise of its inherent power after notice to the parties and no permission is required. Therefore, the Trial Court may reconstruct the lost record in exercise of its inherent power and if the parties are already appearing, the respective parties may be heard before the reconstruction, in such case, no further notice would be required.

4. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Ashok