

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 104 of 2017**

- J.K. Lakshmi Cement A Company Duly Incorporated Under The Provisions Of The Companies Act Having Its Office And Works At Malpurikhurd Khasdih, Ahiwara, Tahsil Dhamdha, District Durg, Chhattisgarh

---- Applicant

Versus

1. Union of India Through Its Secretary Ministry Of Mines, Government Of India, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi- 110001
2. State Of Chhattisgarh, Through Secretary, Mineral Resources Department, Government Of Chhattisgarh, Mahanadi Bhavan, Mantralaya, Naya Raipur, Civil & Revenue District Raipur, Chhattisgarh, Pin 492002
3. Collector (Mining Section), District Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Otwani, Advocate
For Respondent No.1	:	Shri NK Vyas, ASG for the Union of India
For Respondents-State	:	Shri UNS Deo, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****02/02/2017****I.A. No.1**

This is an application for condonation of delay in filing the restoration application.

In view of the order passed by this Court in **Smt. Jyoti Vs. General Manager, Canara Bank {MCC 591/2016}** holding that the provisions of limitation act do not apply in the writ proceedings or in proceedings arising therefrom, there is no requirement of filing of application for condonation of delay.

M.C.C. No.104 of 2017

This is an application for restoration of WPT No.172/2016 which was dismissed for non-compliance of Court order dated 14.12.2016.

On due consideration and for the reasons mentioned in the restoration application, it is allowed and WPT No.172/2016 is directed to be restored to its original number, subject , however, on payment of cost of Rs.1000/- to HIGH COURT OF CHHATTISGARH **MIDDLE INCOME GROUP LEGAL AID SOCIETY** within a period of one week.

It is made clear, if the cost is not paid within a period of one week from today, this order shall lose its efficacy.

Sd/-

Judge

Prashant Kumar Mishra

Ashu