

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 327 of 2017

- The Municipal Corporation Bhilai Through The Commissioner, P.S. Supela, Tehsil & District Durg, Chhattisgarh

---- Applicant

Versus

1. Chhattisgarh Swayatta Sashi Karmachari Sangh Bhilai, Through Its General Secretary Shri Vishnu Chandrakar, Distt. Durg, Chhattisgarh
2. The Deputy Director, Controller Of Pension For Local Bodies, Raipur, Chhattisgarh
3. Shri Umashankar Pandey S/o Late Ramnarayan Pandey, Aged About 74 Years Retired Assistant Estate Officer, R/o Qtr. No. 78/7 Nehru Nagar (East), Post Nehru Nagar, P.S. Bhilainagar, Dist. Durg, Chhattisgarh
4. The Presiding Officer, Labour Court, Durg, Tahsil And Distt. Durg, Chhattisgarh

---- Respondents

For Applicant – Shri GS Patel, Advocate.
Respondents not noticed.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order

27/04/2017

1. Though there is no chart in the instant MCC regarding the period under which the applicant had filed the instant MCC for restoration of WP(L) No.136/2013 dismissed for want of prosecution on 7.4.2017, but on perusal of the facts it appears that the instant MCC has been preferred on 20th April 2017, i.e. within 30 days as broadly applicable the Article 122 of the Limitation Act, 1963. With this, the MCC is admitted for consideration.
2. Heard the MCC finally.
3. On due consideration, the MCC is allowed and WP(L) No.136/2013 dismissed for want of prosecution on 7.4.2017 is restored to its original number.
4. No order as to cost.

5. Registrar (Judicial) is directed to mention the calculation chart to demonstrate within how many days the MCC has been preferred in the light of Article 122 of the Limitation Act in each of the MCC preferred before the Court under Rule 140 (11) of the High Court of Chhattisgarh Rules, 2007.
6. The MCC is disposed of.

Sd/

(Chandra Bhushan Bajpai)
Judge