

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 639 of 2016

1. State Of Chhattisgarh Through The Secretary, Government Of Chhattisgarh, Department Of Forest, Mahanadi Bhawan, Mantralaya, Naya Raipur, (Chhattisgarh),.....(Applicant No. 1 / Respondent No. 1).
2. The Chief Conservator Of Forest, Aranya Bhawan, Jail Road, Raipur, (Chhattisgarh),.....(Applicant No. 2 / Respondent No. 2)
3. The Conservator Of Forest, Durg Region, Durg, District- Durg, Chhattisgarh,..... (Applicant No. 3 / Respondent No. 3).
4. The Divisional Forest Officer, Balod, District- Balod, (Chhattisgarh),..... (Applicant No. 4 / Respondent No. 4).

---- Applicants

Versus

Kaushal Kishore Mishra S/o Late Shri Asthabhuja Prasad Mishra, Aged About 55 Years R/o- Kastagar Depo, Balod, Police Station And Tahsil- Balod, District- Balod, (Chhattisgarh),.....(Non-Applicant / Petitioner).

---- Respondent

Shri R.K.Gupta, Dy.A.G. for the State / applicants.
Shri Abhishek Pandey, counsel for the respondent.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

25/01/2017

Learned State counsel has sought review and recall of order dated 01/08/2016 principally on the submission that the writ petitioner before this Court suppressed the fact that on the date when petitioner filed the writ petition and order was passed, he was again placed under suspension vide order dated 12/01/2016 which was in force and operating at the time when the order was passed by this Court.

2. Learned counsel for the respondent could not dispute this position.
3. It is quite apparent that the writ petitioner filed a petition and sought

indulgence of this Court by suppressing the most material fact which could have led to an outright dismissal of the petition.

4. Therefore, the respondent / writ petitioner has abused the proceedings of law. On that ground alone, I am inclined to recall order dated 01/08/2016 passed in WPS No.269/2016. The order is accordingly recalled and WPS No.269/2016 is dismissed with a cost of Rs.2500/-.

Sd/-
(Manindra Mohan Shrivastava)
Judge