

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 341 of 2017**

- Laxmikant Taywade S/o Late Shri Ram Bhau, Aged About 64 Years (Now Aged About 74 Years), Retd. L.D.C., Municipal Corporation, Rajnandgaon, Chhattisgarh, R/o Basantpur, Ward No.40, Near Hanuman Mandir, Rajnandgaon, Chhattisgarh

---- Applicant**Versus**

1. Municipal Corporation Rajnandgaon Through Commissioner, Rajnandgaon, Chhattisgarh
2. The Director, Local Self Government, Raipur, Chhattisgarh
3. State Of Chhattisgarh, Through The Secretary, Department Of Local Self Government, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh

---- Respondents

For Applicant	: Shri V.K. Sharma, Advocate
For State/Respondent 2 & 3	: Shri Anant Bajpai, Panel Lawyer
	on advance copy.

Respondent 1 not noticed

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****03.05.2017**

1. Heard.
2. There is no calculation by the Registry as after how many days the instant MCC has been preferred for a prayer to restore WPS No.3458/2007 dismissed for want of prosecution on 7.4.2017.
3. This is a MCC under sub-rule 11 Rule 140 of the High Court of Chhattisgarh Rules, 2007.

4. Registry is earlier directed to mention the period for filing of the instant MCC for consideration whether the matter requires consideration or not. With this, Registrar (Judicial) is directed to prepare the calculation chart showing the time taken in filing of any MCC for a prayer to restore any matter in the light of earlier order passed by this Court. It is apparent that the order for dismissal of Writ Petition(S) is passed on 7.4.2017 and the instant MCC has been preferred on 26th April, 2017 goes to show that the instant MCC has been preferred within 30 days from the date of order.

5. With this, the instant MCC is admitted for consideration.

6. Heard the matter finally.

7. Learned counsel for the applicant submits that respondent 1 was also not represented on 7.4.2017, therefore, the matter may be disposed of without noticing to respondent 1.

8. On due consideration, the instant MCC is allowed and Writ Petition (S) No.3458/2007 dismissed for want of prosecution on 7.4.2017 is restored to its original number.

9. No order as to cost.

Sd/

(Chandra Bhushan Bajpai)

JUDGE