NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Appeal No. 287 of 2016

(Arising out of order dated 11.4.2016 in Writ Petition (C) No.122 of 2014 and connected cases of the learned Single Judge)

Smt. Gomati W/o Jawahar Since Deceased Through Legal Representative (Son) Biselal Dewangan, S/o Jawahar Dewangan, Aged About 26 Years, R/o Ward No. 46 Fokatpara, Gaya Vihar, Nutan Chowk, Sarkanda Bilaspur Police Station Sarkanda, District Bilaspur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanadi Bhawan, New Mantralaya, Capital Complex Naya Raipur, District Raipur (Chhattisgarh).

2. The Collector, Bilaspur, District Bilaspur (Chhattisgarh).

3. The Municipal Corporation Bilaspur, District Bilaspur Through The Commissioner Municipal Corporation Bilaspur, District Bilaspur (Chhattisgarh).

4. The Commissioner Municipal Corporation Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondents

For Appellant : Shri Santosh Kumar Verma, Advocate.
For Respondent/State : Shri UNS Deo, Government Advocate.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge.

Order on Board

Per Thottathil B. Radhakrishnan, Chief Justice

31/08/2017

1. Defects are not cured in the appeal even now. Way back on 28.6.2016, the Appellant was granted two weeks time to remove the defects. It was also then ordered that if the defects are not removed within the time granted, the appeal shall stand dismissed for non-prosecution.

2. When the matter came up for hearing on 17.8.2017, the aforenoted order dated 28.6.2016 was noticed and by virtue of that, there is an automatic dismissal with efflux of time. Further adjournment was granted to the Appellant to verify the situation. Even today, the fact of the matter remains that the defects are not cured and the Appellant is seeking further adjournment.

3. The appeal stands dismissed by efflux of time as minuted in order dated 17.8.2017. Recording this, we hold that this appeal is dismissed in default.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(Sharad Kumar Gupta)
JUDGE

Anu