

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 126 of 2017**

Smt. Mamta Chandra W/o Shri Nand Kumar Chandra Aged About 38 Years R/o Kansa, Turkapali, Police Station & Tahsil Dabhra, District Janjgir- Champa, Chhattisgarh, Presently At Geeta Nagar, House No. 720, Near Mahaveer Offset, Raipur, Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Dabhra, District Janjgir- Champa, Chhattisgarh.
2. Nandkumar S/o Jagannath Prasad Chandra Aged About 40 Years Caste Chandra, R/o Village Kansa, Police Station Dabhra District Janjgir- Champa, Chhattisgarh.
3. Sahodara @ Lalita Chandra W/o Nand Kumar Aged About 31 Years Caste Chandra, R/o Village Hardidih, Police Station Dabhra District Janjgir- Champa, Chhattisgarh. (Her Present Status Abscond)
4. Jawahar Chandra S/o Domlal Aged About 50 Years Caste Chandra, R/o Village Katekonibade Police Station Dabhra, District Janjgir- Champa, Chhattisgarh.
5. Satya Narayan Chandra S/o Banshidhar Aged About 45 Years Caste Chandra, R/o Village Kosir, Sarangarh, District Raigarh, Chhattisgarh.

---- Respondents

For applicant	:	Mr. Govind Devangan, Adv.
For Respondent No. 1/State	:	Mr. Satish Gupta, GA

ORDER**13/2/2017**

1. Learned counsel for the applicant submits that I.A. No. 1/17 for condonation of delay in filing the petition under Section 482 of the Cr.P.C. may be disposed of as withdrawn as there is no limitation prescribed for filing a petition under Section 482 of the Cr.P.C.
2. On due consideration, I.A. No. 1/17 is disposed of as withdrawn.
3. Instant Cr.M.P. is admitted for consideration.
4. Heard the matter finally.
5. Instant CRMP has been filed for restoration of TP(CR) No. 22/2015 which was dismissed after a peremptory order dated 6-10-2015 as the applicant has not submitted document showing status of R-3 Sahodara @ Lalita Chandra.
6. Learned counsel for the applicant submits that if permitted the

applicant shall submit the document as directed on 6-10-2015 within 2 weeks from today.

7. Perused the documents annexed.
8. After dismissal of said TP(CR) No. 22/2015, the applicant had preferred another TP(Cr) No. 17/2016 and vide order dated 17-10-2016 said T.P.(Cr) was dismissed as withdrawn with liberty to the petitioner to file an appropriate application for restoration of TP(Cr) No. 22/2015. Thereafter the applicant has preferred instant CRMP under the provisions of Section 482 of the Cr.P.C. for restoration of TP(Cr) No. 22/2016.
9. As other respondents were not represented in the said TP (Cr) and the matter was dismissed at an early stage as the applicant failed to comply with the order dated 6-10-2015, on due consideration, instant CRMP is hereby allowed under the authority of inherent power of this Court granted by the Legislature. TP(Cr) No. 22/2015 dismissed on a peremptory order dated 6-10-2015 is directed to be restored to its original number subject to the condition that the applicant shall comply with the directions of this Court dated 6-10-2015 within two weeks from today. If the applicant fails to comply with the direction as aforementioned within 2 weeks from today, then this order shall loose its efficacy.
10. Instant CRMP is allowed in above terms.

Sd/-
(Chandra Bhushan Bajpai)
Judge