

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 338 of 2017**

- D.R. Singh S/o Shri T.Singh, Aged About 60 Years Occupation Service, S.E.C.L., Hasdeo Area, Post South Jhagarkhand Colliery, District Korla, Chhattisgarh

---- Applicant

Versus

1. Coal India Limited A Govt. Of India Under Taking Having Its Registered Office At Netaji Subhash Chandra Road, Kolkata, Through Its Chairman
2. South Eastern Coal Fields Ltd., Through Its Chairman-Cum-Managing Director, S.E.C.L., Head Office At Seepat Road, Bilaspur, Chhattisgarh

---- Respondents

For Applicant : Shri Ashish Shrivastava, Advocate
Respondents 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 WP No.130/2001 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 is passed on 7.4.2017 and the instant MCC has been preferred on 25th 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 the respondents were also not represented on 7.4.2017, therefore, the instant MCC may be disposed of without noticing the respondents.

8. On due consideration, the instant MCC is allowed and Writ Petition No.130/2001 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