

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No.95 of 2018**

Benimadhav Hariharno, S/o Lt. Shri Devilal Hariharno, aged about 83 years, Retired Lecturer-cum-Principal Municipal Corporation, Rajnandgaon, Chhattisgarh

---- Applicant

versus

1. The State of Chhattisgarh, through the Secretary, Local Self Govt. (Urban), D.K.S. Bhawan, Raipur, Now Mahanadi Bhawan, New Raipur, Chhattisgarh
2. Municipal Corporation Rajnandgaon, Chhattisgarh through the Commissioner, District Rajnandgaon, Chhattisgarh

--- Respondents

For Applicant	:	Shri Kripesh G. Kela, Advocate
For State/Respondent No.1	:	Shri Neeraj Kumar Sharma, Deputy Government Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

15.2.2018

1. The instant is an application for correction in the cause-title of the order dated 18.9.2017 passed in M.C.C. No.573 of 2017 filed for restoration of Writ Petition No.4472 of 2006 between Beni Madhav Hariharno v. The State of Chhattisgarh and another.
2. Learned Counsel appearing for the Applicant submits that on 7.4.2017 Writ Petition No.4472 of 2006 was listed for final hearing which was dismissed for want of prosecution. M.C.C. No.573 of 2017 was filed for restoration of the said writ petition. A default was pointed out by the Registry that name of the Applicant is wrongly mentioned as Smt. Kamala Shukla instead of Benimadhav Hariharno in M.C.C. No.573 of 2017. Accordingly, the Applicant filed a cover memo along with fresh cause title to remove the default on 17.8.2017. On 18.9.2017, M.C.C. No.573 of 2017 was allowed. It is further submitted that due to typographical error, in order dated 18.9.2017, name of the Applicant wrongly existed in the said order as Smt. Kamala Shukla.

3. Learned Counsel appearing for the State does not oppose the above submission.
4. In the facts and circumstances of the case, the instant M.C.C. is allowed. It is ordered that in place of the name and particulars "Smt. Kamala Shukla, W/o Lt. Shyamlal Shukla, R/o Pachpedi Naka Tikrapara, Raipur, Civil & Revenue District Raipur (Chhattisgarh)", the name and particulars "Benimadhav Hariharno, S/o Lt. Shri Devilal Hariharno, aged about 83 years, Retired Lecturer-cum-Principal, Municipal Corporation, Rajnandgaon, Chhattisgarh" be read as the Applicant in the cause-title of the order dated 18.9.2017 passed in M.C.C. No.573 of 2017.

Sd/-
(Arvind Singh Chandel)
Judge