

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C No.209 of 2018**

M/s Beekay Engineering Corporation 45/47 Industrail Estate, Bhilai, District
Durg, Chhattisgarh

---- Applicant**Versus**

The Commissioner Central Excise Raipur, Chhattisgarh, District :
Raipur, Chhattisgarh

---- Non-Applicant

For Applicant: Shri BD Guru, Advocate.
For Non-Applicant: Shri Manish Sharma, Advocate.

Hon'ble Shri Justice Pritinker Diwaker
Hon'ble Shri Justice Sanjay Agrawal
Judgment on Board

Per Pritinker Diwaker, Judge**27/03/2018**

1. Heard on AI No.1/2018, an application seeking condonation of delay in filing the M.C.C.
2. On due consideration of the reasons mentioned therein, the same is allowed. Delay in filing the M.C.C is hereby condoned.
3. Also heard on M.C.C, which is filed for restoration of C.E.R No.1/2002, which was dismissed on 20.12.2016, as it was pleaded on behalf of the Applicant that he has no instructions.
4. Learned Counsel for the Applicant submits that due to some miscommunication between him and the Applicant, he withdrew the said case whereas, the original case very well survives and the Applicant wants to prosecute the same. He further submits that one identical matter was also dismissed for want of prosecution, but the same has already been restored vide order dated 20.3.2016.

5. Considering the facts and circumstances of the case, the instant M.C.C is allowed and C.E.R No.01/2002 is restored to its original number.

Sd/-

(Pritinker Diwaker)
JUDGE

Sd/-

(Sanjay Agrawal)
JUDGE

Priya