

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 953 of 2017**

Narendra Singh Parihar S/o Late Shri K.S. Parihar, aged about 29 years,
Ex-Constable No. 126, P.S. Dantewada (C.G.), R/o Village Chargharkapura,
P.O. Nunheta, District Bhind (M.P.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Department of Home (Police),
Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
2. Director General of Police, Police headquarter, Raipur (C.G.)
3. Superintendent of Police, South Bastar, Dantewada (C.G.)

---- Respondents

For Petitioner	:	Mr. Abhishek Pandey, Advocate.
For Respondents / State	:	Mr. Gary Mukhopadhyay, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****23/03/18**

1. Learned counsel appearing for the petitioner would submit that this case is identical to M.C.C. No. 103 of 2017 which was allowed subject to payment of cost of Rs.1000/-.
2. Heard on application for condonation of delay in filing the restoration application.

In view of the order passed by this Court in **Smt. Jyoti v. General Manager, Canara Bank** (M.C.C. No. 591/2016) holding that the provisions of limitation act do not apply in the writ proceedings or in proceedings arising therefrom, there is no requirement of filing of application for condonation of delay.

3. This M.C.C. No. 953 of 2017 has been filed for restoration of WP No. 4915 of 2004 which was dismissed for want of prosecution by order of this Court dated 28.08.2017.
4. On due consideration and for the reasons mentioned in the restoration application, it is allowed and WP No. 4915 of 2004 is directed to be restored to its original number. However, accepting the request of learned counsel for petitioner, cost is not being imposed.
5. Accordingly, the M.C.C. stands finally disposed of.

SD/-

(Sanjay K. Agrawal)
Judge