

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 231 of 2019**

- Rasid Mohammed S/o Late Shri Sharif Mohammed Aghariya Aged About 52 Years R/o Gandhi Chowk, Behind Gulab Colony, Ambikapur, District Surguja Chhattisgarh.,

---- Applicant

Versus

1. Sub Divisional Officer State Bridge Corporation, (Rajya Setu Nirman Nigam, Chhattisgarh) Public Works Department, Ambikapur, District Surguja Chhattisgarh.,
2. Executive Engineer (Rajya Setu Nirman Nigam, Chhattisgarh), Public Works Department (Bridge), Nehru Chowk, Bilaspur, District Bilaspur Chhattisgarh.,
3. Presiding Officer Labour Court (Working Under I.D.Act.), Ambikapur, District Surguja Chhattisgarh.,

---- Respondents

For Applicant	: Shri Sunil P. Kale, Advocate.
For Respondents	: Shri Shakti Singh Thakur, P.L.

Hon'ble Shri Justice Sanjay Agrawal**Order On Board****25.04.2019**

1. Heard on M.C.C., which has been filed for restoration of W.P.(L) No.7169/2007 dismissed for want of prosecution on 22.03.2011.
2. Learned counsel for the applicant submits that he has submitted his Vakalatnama on 27.06.2008. However, when the case was listed on 22.03.2011, his name was not reflected from the cause list, therefore, he could not appear on the said date and the matter was accordingly dismissed for want of prosecution. In support, he has submitted an affidavit on 22.04.2019 along with the case status report (Annexure A/2). A bare perusal of the said report would show that the name of applicant's counsel and his associates have not been mentioned on the said date when the case was dismissed for non-

prosecution.

3. On due consideration of the reasons assigned in the application and considering further the said case status report, I am inclined to allow the present M.C.C.

4. Accordingly, M.C.C. is allowed and the W.P.(L) No.7169/2007 dismissed for want of prosecution on 22.03.2011 is restored to its original number. No order as to costs.

Sd/-

(Sanjay Agrawal)
Judge