

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCC No. 360 of 2019

1. Shri Kant Agrawal S/o Rambhajan Agrawal Aged About 57 Years R/o Agrawal Para Arang, District Raipur Chhattisgarh.
2. Aryaratna Agrawal S/o Late Shri Prakash Chand Agrawal Aged About 43 Years R/o Agrawal Para Arang, District Raipur Chhattisgarh.
3. Kapil Narayan Agrawal S/o Late Ram Bhajan Lal Agrawal Aged About 64 Years R/o Agrawal Para Arang, District Raipur Chhattisgarh.

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Versus

1. Praveen Kumar Agrawal S/o Shri Ram Guljari Lal Agarwal, R/o Village Arang, Tahsil Arang Abhanpur, District Raipur, Chhattisgarh.
2. State Of Chhattisgarh Through Collector, District Raipur, Chhattisgarh.
3. The Superintendent Of Police District Raipur Chhattisgarh.
4. The Sub Divisional Officer (Revenue) Arang - Abhanpur, District Abhanpur, Chhattisgarh.
5. The Tahsildar Raipur, Tahsil Arang District Raipur, Chhattisgarh.
6. The Station House Officer Police Station Mandeer Hasaud, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Respondents

:- Office Reference

Order On Board

By

Hon'ble Shri Prashant Kumar Mishra, Ag. CJ

03/05/2019

1. In MCC No.161/2015 this Court directed restoration of WPCR No.172/2014 subject to payment of cost of Rs.5,000/-.
2. Petitioner's counsel moved an application before the Registry on 23.02.2019 seeking to deposit the amount of cost. Finding that the deposit is made after about 4 years on the date of order Registry has placed this matter for appropriate direction.
3. Even if there was no time limit fixed for deposit of cost, the same should have been made within a reasonable time. In the facts and circumstances of the case, the reasonable time would be of 3 months. However, the deposit has been offered after about 4 years, therefore, deposit of cost after such enormous delay is not permissible.
4. In above observation, the MCC is accordingly dismissed.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice