

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCC No. 532 of 2019

Smt. Dhanmati Sethiya **Versus** State of Chhattisgarh and others.

27.06.2019	Mr. Avinash K. Mishra, Counsel for the petitioner. Mr. Jitendra Pali, Dy. A. G., for the State. The present MCC has been filed seeking restoration of writ petition (S) No. 6789 of 2018, which was got dismissed by peremptory order passed by this Court on 11.10.2018. The said writ petition was earlier restored by an order of this Court in MCC No. 16 of 2019, however the time limit for removing the original default in writ petition could not be cured within the further extended time and the order in MCC had lost its efficacy. The present MCC now has been filed seeking for restoration of the writ petition. Considering the total facts & circumstances of the case, particularly taking note of the fact that the applicant on an earlier occasion had also been granted time to cure the default while allowing MCC No. 16 of 2019, yet the applicant did not remove the default, this Court is of the opinion that subject to the applicant depositing a cost of Rs. 500/- to the Chhattisgarh High Court Bar Association Library Fund Account No. 32749718036 within a period of 3 days from today, the Writ Petition (S) No. 6789 of 2018 would stand restored

to its original number.

However, it is again made clear that in case if the default in WPS 6789 of 2019 has till now not been cured or is not again cured within 3 days from the date of the petitioner producing the receipt of the depositing of cost to the registry, the order passed in the present i.e. MCC 532 of 2019 would also lose its efficacy.

Sd/-

(P. Sam Koshy)
Judge