

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 12 of 2019**

1. State Of Madhya Pradesh (Now Chhattisgarh) Through The Secretary, Government Of Chhattisgarh, Department Of Higher Education, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, Chhattisgarh
2. Principal Dr. Bhawar Singh Porte, Government College, Pendra District Bilaspur Chhattisgarh.
3. Additional Director, Directorate Of Higher Education, Indrawati Bhawan, Atal Nagar, Raipur, Chhattisgarh.

---- Appellants**Versus**

- Pitamber Kashyap S/o Shri Ram Avtar Kashyap, Aged About 34 Years Peon, Dr. Bhanwar Singh Porte Govt. Degree College, Pendra, District Bilaspur (CG).

---- Respondent

For Appellants	:	Shri R.S. Baghel, Dy. Advocate General
For Respondent	:	Shri K.P.S. Gandhi, Advocate.

Hon'ble Shri Ajay Kumar Tripathi, CJ
Hon'ble Shri Parth Prateem Sahu, J

Order on Board**Per Ajay Kumar Tripathi, CJ****07/03/2019**

1. I.A. No.1/2019 is an application for condoning the delay of 219 days in filing this writ appeal.
2. Even though we are not satisfied as to the reasons for such delay except for routine bureaucratic reasons, however, in the interest of justice the application (I.A. No.1/2019) is allowed and the delay is condoned.
3. When the appeal was taken up on 10.1.2019, the Court was informed that the sole respondent i.e. employee, has died.
4. The Court has granted time thereafter to the State on more than one occasion to file substitution or else as in absence of legal heirs the appeal cannot proceed against a dead person.
5. Even today, the State has failed to take steps for substitution.
6. In view of the same, the appeal stands dismissed.

Sd/-
 (Ajay Kumar Tripathi)
 Chief Justice

Sd/-
 (Parth Prateem Sahu)
 Judge