

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC NO. 252 OF 2021**

- Mulchand Kanwar, through Legal Heir Sirin Kanwar, W/o Mulchand Kanwar, aged about 55 years, R/o Village Bundeli, Tehsil Pithora, District Mahasamund (CG)

... Applicant**versus**

1. State of Chhattisgarh, through Secretary, Department of School Education, Mahanadi Bhawan, Naya Rapur (CG)
2. Collector, Mahasamund, District Mahasamund (CG)
3. District Education Officer, Mahasamund, District Mahasamund (CG)
4. Sub Divisional Officer (Revenue), Pithora, District Mahasamund (CG)
5. Scheduled Caste Research & Training Institute, Caste Certificate High Powered Committee, Pt. Deendayal Upadhyay Nagar, Sector 04, Raipur (CG)

... Non-applicants

For Applicant	:	Mr. Saurabh Dangi, Advocate.
For Non-applicants/State:		Ms. Akanksha Jain, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/06/2021**

1. The present MCC has been filed seeking for restoration of WPS No. 2586/2016 which inadvertently got withdrawn on 12.2.2021 on the ground of an application moved by the present Applicant without realizing the consequences of the withdrawal of the Writ Petition which otherwise would have a long standing effect on the legal heirs of the original Petitioner - Mulchand Kanwar who has expired during the pendency of WPS No.2586/2016.
2. Taking into consideration the entire facts and circumstances of the case, particularly considering the consequences that the original Petitioner's family may face, more particularly taking into consideration the fact that the said Writ Petition was withdrawn out of sheer ignorance and without any knowledge of the consequences, this Court feels that a strong case in the larger interest of justice has been made out by Applicant.

3. Accordingly, the WPS No.2586/2016 which got dismissed as withdrawn vide Order dated 12.2.2021 is restored to its original number. Applicant would be at liberty to take appropriate steps for further contesting the original Writ Petition.
4. Registry of this Court shall keep with the record of WPS No. 2586/2021 a copy of the present MCC as also a copy of MCC No.228/2021 along with the Orders passed in both the MCCs.
5. MCC stands allowed and is disposed of accordingly.

**Sd/-
(P. Sam Koshy)
JUDGE**

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