

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 507 of 2021**

1. South Eastern Coalfields Limited, through the Chariman-Cum-Managing Director, Seepat Road, Bilaspur (C.G.)
2. Regional Sale Manager, SECL, Vishrampur Area, Suguja, at present District – Surajpur (C.G.)
3. Chief General Manager, SECL, Vishrampur Area, Suguja, at present District – Surajpur (C.G.)

---- Applicant

Versus

Mahesh Kumar Agrawal, son of K.S. Agrawal, Owner-Ambika Coal Depo, resident of Banaras Road, Nagar Ambikapur, District – Surguja (C.G.)

---- Non-applicant

(Cause-title taken from Case Information System)

For Applicant	:	Ms. Astha Sharma, Advocate.
For Non-applicant	:	Mr. Sumesh Bajaj, Advocate.

Hon'ble Shri Arup Kumar Goswami, Chief Justice**Hon'ble Shri Justice N.K. Chandravanshi, Judge****Order on Board****Per Arup Kumar Goswami, Chief Justice****03.12.2021**

Heard Ms. Astha Shukla, learned counsel appearing for the applicant in MCC No. 507 of 2021 as well as Mr. Sumesh Bajaj, learned counsel appearing for the respondent.

2. In view of the peremptory order dated 07.04.2021 providing for dismissal of First Appeal No. 65 of 2016 without any further reference to the Bench in case of failure to cure the default within a period of four weeks and the applicants having failed to cure the defect within the aforesaid period, the appeal came to be treated as dismissed due to non-compliance of the aforesaid order.
3. By filing MCC No. 507 of 2021, it is submitted that the normal working of the High Court was suspended from 14.04.2021 and therefore, defects could not be cured within the stipulated time. It is submitted that in view of dismissal of the appeal as above, paper-book could not be filed.
4. Learned counsel prays for three weeks' time to file paper-book. Prayer is not opposed by Mr. Bajaj.
5. Having heard the learned counsel for the parties, the appeal is resorted to its original number. MCC No. 507 of 2021 is allowed. Paper-book shall be filed within a period of three weeks from today.
6. Registry will list the case on 10th of January, 2022 alongwith a report indicating whether paper-book has been filed by the applicants or not.
7. It is made clear that if the paper-book is not filed within the time now specified, this Court may be constrained to pass such order as may be considered appropriate, including dismissing the case for non-prosecution.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(N.K. Chandravanshi)
Judge