

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 664 of 2021**

1. Khanaiya Lal Pandey S/o Late Shri Hari Shankar Pandey, Aged About 56 Years R/o C/o Ravi Kumar Pandey, Polytechnic Colony, Ambikapur, P.S. Gandhinagar, District Surguja Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Excise, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh.
2. Excise Commissioner, Excise Building Above Chhokra Nala, Raipur, District Raipur Chhattisgarh.
3. Assistant Excise Commissioner, Durg, District Durg Chhattisgarh.
4. Assistant District Excise Officer, Durg In Charge Office M/s Sona Beverages Pvt. Ltd., Yavasvani Borai, District Durg Chhattisgarh.

----Respondents

For Applicant	:	Mrs. Indira Tripathi, Advocate.
For State	:	Ms. Akanksha Jain, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****07.12.2021**

1. The present MCC has been filed seeking extension of time which was otherwise provided by this Court for preferring an appeal to the Appellate Authority on 01.10.2019 in WP(S) No. 3122 of 2018.
2. Counsel for the applicant referring to a couple of medical certificates issued by the government Doctors, submits that because of compelling circumstances, the applicant could not avail the remedy of appeal provided by this Court. Counsel for the Applicant prayed for granting

one last opportunity by extending the time enabling the applicant to prefer a departmental appeal to the Appellate Authority.

3. The State Counsel though opposes the MCC on the ground that it has been filed at an inordinate belated stage.
4. Having heard the contention put forth on either side and on perusal of records, particularly taking note of the contents of the medical certificates submitted by the applicant, as a last indulgence by this Court, the applicant is granted 7 days time starting from today enabling him to file departmental appeal to the Appellate Authority.
5. In the event if the appeal is filed within seven days from today, the order dated 01.10.2019 passed in WP(S) No. 3122 of 2018 would come to the rescue of the applicant, so far as the period of limitation in filing of the appeal is concerned. In the event if the applicant fails to submit the appeal within seven days, the order passed in the present MCC would lose its efficacy.
6. The present MCC accordingly stands allowed and disposed of.

Certified Copy Today.

**Sd/-
P. Sam Koshy
Judge**