CGHC010378902026 2026:CGHC:44967

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HIGH COURT OF CHHATTISGARH AT BILASPUR

SHOAIB ANWAR Digitally signed by SHOAIB ANWAR Date: 2026.10.26 17:46:30 +0530

MCC No. 974 of 2026

Komal Satpathi D/o Shri Dinesh Kumar Satpathi Aged About 28 Years R/o Village Khaspara, Post Adawal, Tahsil Jagdalpur, District Bastar Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Higher Education Department, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, Raipur, Chhattisgarh

2 - Commissioner Higher Education, Block-3, Second And Third Floor, Indrawati Bhawan, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh

3 - Swami Vivekanand Technical University, Bilaspur Through Its Registrar, Newai, Post Newai District Durg Chhattisgarh

4 - Gayatri Sahu Roll No. 16063356, C/o Commissioner, Higher Education, Block-3, Second And Third Floor, Indrawati Bhawan, Nawa Raipur, Atal Nagar, District Raipur Chhattisgarh

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	:	Shri Aniket Verma, Advocate
For Respondent/State	:	Shri Ghanshyam Kashyap, Dy. Govt. Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

26.10.2026

1. This MCC has been filed seeking restoration of W.P.(S) No. 11450/2025, which came to be dismissed on account of non-compliance with the procedural requirements.

2. Learned counsel for the petitioner would submit that vide order dated 15.07.2026, this Court directed issuance of notice to newly added respondent No. 4 by ordinary as well as registered post within a period of 10 days. However, due to inadvertence, the applicant could not deposit the requisite process fee within the stipulated period. Subsequently, vide order dated 06.08.2026, further time of 10 days was granted to cure the defects, failing which the writ petition was directed to stand dismissed without further reference to the Court.

3. Learned counsel for the applicant submits that the applicant thereafter deposited the requisite process fee through speed post as well as ordinary post on 07.08.2026. However, the Registry treated the defect as not having been duly cured due to the non-filing of an application for condonation of delay, pursuant to which a memo for dismissal of the writ petition was issued on 10.09.2026. It is submitted that the procedural lapse was neither intentional nor deliberate and that the applicant has been diligently pursuing the matter. Accordingly, learned counsel prays for restoration of the writ petition to its original number.

4. I have heard learned counsel for the applicant and perused the material available on record.

5. Considering the facts and circumstances of the case and the explanation furnished by the applicant, this Court is of the view that the applicant deserves an opportunity to pursue the writ petition on its merits. The procedural lapse appears to have occurred due to inadvertence, and the interest of justice would be served by restoring the writ petition to its original number.

6. Accordingly, the MCC is allowed. The order dismissing W.P. (S) No. 11450/2025 shall stand recalled, and the aforesaid writ petition is restored to its original number.

7. The applicant/petitioner is directed to cure the defects, if any, remaining in the writ petition within a period of three days from today.

8. The MCC stands disposed of accordingly.

Sd/-

(Bibhu Datta Guru)
JUDGE

Shoaib