CGHC010405022026 2026:CGHC:45911

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 1007 of 2026

Surendra Kumar Gupta S/o. Gopal Prasad Gupta Aged About 51 Years R/o. House No. 1476, Gopal Shivam Bhawan, Baba Nayar Gali, Upadhyay Nagar, Gudiyari, Near Anmol Vihar, Raipur, District Raipur Cg

... Petitioner(s)

versus

1 - Union Of India Through The Director General, Railway Protection Force, Railway Protection Force Control Room Railway Board New Delhi, 1 10001.

2 - Inspector General Cum Chief Security Commissioner Railway Protection Force, South East Central Railway Zone Bilaspur, Division Bilaspur, District Bilaspur (C.G.)

3 - Commissioner Senior Divisional Security Commissioner Railway Protection Force, Raipur,south Eastern Railway, Division Raipur, District Raipur, (Cg)

4 - Assistant Security Commissioner-1 Railway Protection Force, Raipur, South East Central Railway, Division Raipur, District Raipur (Cg)

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	**:**	Shri Ajit Singh, Advocate with Shri Kaushaki Kumari, Advocate
For Respondent(s)	**:**	Shri Ramakant Mishra, DSGI

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

30.10.2026

1. The instant MCC has been filed seeking restoration of W.P.(S) No. 5214 of 2026, which came to be dismissed for non-compliance with the order dated 10.07.2026 passed by this Court.

2. Learned counsel for the applicant submits that the aforesaid writ petition was listed before this Court on 10.07.2026, when, upon a default being pointed out by the Registry, this Court granted one week's time to the petitioner to cure the defects, with a pre-emptory direction that, in the event of non-compliance, the writ petition would stand dismissed automatically without further reference to the Court.

3. It is further submitted that, in compliance with the aforesaid order, the applicant's counsel rectified the defect relating to the correction of the cause title. However, due to inadvertence, the defect pertaining to filing of the typed copies of certain portions of the annexures remained uncured, resulting in dismissal of the writ petition by the Registry vide order dated 08.09.2026. Learned counsel submits that the aforesaid omission was neither intentional nor deliberate but occurred due to an inadvertent oversight. Accordingly, learned counsel prays for recalling of the order of dismissal and restoration of the writ petition to its original file.

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

5. Having considered the facts and circumstances of the case and the explanation furnished by the applicant, this Court is of the view that the non-compliance appears to have occurred on account of inadvertence and not due to any deliberate or intentional lapse. In the interest of justice, the applicant deserves an opportunity to pursue the writ petition on its merits.

6. Accordingly, the MCC is allowed. The order dated 08.09.2026, whereby W.P.(S) No. 5214 of 2026 was dismissed for non-compliance, is hereby recalled and the aforesaid writ petition is restored to its original file.

7. Learned counsel for the petitioner is granted a further period of two weeks to cure the remaining defects in the writ petition, as pointed out by the Registry.

8. The MCC stands disposed of accordingly.

Sd/-

(Bibhu Datta Guru)
JUDGE

Shoaib