CGHC010417342026 2026:CGHC:45912

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 1013 of 2026

Raju Dewangan S/o Late Shri Ramji Dewangan Aged About 64 Years Retried From The Post U D T From B.R. Sao Hindi Medium School - Mungeli Dist- Mungeli, R/o Md. Basheer Khan Ward, Ward No.15, Mungeli Dist- Mungeli (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Its Secretary Department Of School Education Department Naya Raipur Mahanadi Bhawan Atal Nagar Distt- Raipur (C.G.)

2 - Accountant General Of Chhattisgarh Raipur Zero Point Near Avinash Gardan City, Raipur Baloda Bazar Marg, Opp. Vidhan Sabha Road , Distt- Raipur (C.G.)

3 - District Education Officer Mungeli Dist- Mungeli (C.G.)

4 - Principal Of B.R. Sao Government Hindi Medium School Mungeli, Dist- Mungeli (C.G.)

5 - District Treasury Officer Mungeli Distt- Mungeli (C.G.)

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s)	:	Ms. Pallavi Mishra, Advocate
For Respondent(s)	:	Ms. Vartika Shrivastava, Panel Lawyer
For Respondent No. 2	:	Shri Raj Kumar Gupta, Advocate

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. 5210 of 2026, which came to be dismissed on account of 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 filed seeking a direction for release of the retiral dues of the petitioner, which have been withheld by the respondents. It is further submitted that when the matter was listed before this Court on 10.07.2026, learned counsel for the petitioner sought time to remove the defects pointed out by the Registry, whereupon this Court was pleased to grant one week's time to cure the defects with a pre-emptory direction.

3. Learned counsel for the applicant submits that, due to inadvertence, the defects could not be removed within the stipulated period, resulting in dismissal of the writ petition. Learned counsel tenders an unconditional apology for the aforesaid lapse and submits that the non-compliance was neither intentional nor deliberate. It is further submitted that, unless the order of dismissal is recalled and the writ petition is restored to its original file, the petitioner, being a retired employee, would suffer irreparable financial hardship on account of non-consideration of his claim for release of retiral dues. Accordingly, learned counsel prays for 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 applicant deserves an opportunity to pursue the writ petition on its merits. The interest of justice would be served by recalling the order of dismissal and restoring the writ petition to its original file.

6. Accordingly, the MCC is allowed. The order dismissing W.P. (S) No. 5210 of 2026 shall stand recalled, and the aforesaid writ petition is restored to its original file.

7. Learned counsel for the petitioner is granted a further period of one week to cure the defects, as pointed out by the Registry.

8. The MCC stands disposed of accordingly.

Sd/-

(Bibhu Datta Guru)
JUDGE

Shoaib