

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3068 of 2019

- Ajit Pramod Kumar Jogi S/o Late Shri K. P. Jogi, Aged About 73 Years, R/o Anugrah, Sagaun Bunglow, Civil Lines, Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Petitioner

Versus

1. The Committee : High Power Certification Scrutiny Committee, (Through Its Member Secretary) Pandit Deendayal Upadhyay Nagar Sector-4, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. State of Chhattisgarh Through its Chief Secretary Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents.

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04/10/2019	Mr. Vivek Sharma and Mr. Gary Mukhopadhyay, Advocates for the petitioner. Mr. U.N. Awasthi, Sr. Advocate and Ms. Raksha Awasthi, Advocate for applicant NCST. Mr. Ghanshyam Patel, Govt. Advocate for the State. Heard on the application filed for correction/modification of order dated 30-09-2019. It is submitted that when this matter was listed on 30-09-2019 before this Court the case was listed for further hearing on 16-10-2019. A prayer had been made for continuation of interim order passed by 04-09-2019, it is submitted that due to typographical error part of order for continuation of interim relief has not been typed, whereas, this order was dictated by this Court in open Court, therefore, it is prayed that such order be passed. Learned counsel for the intervenor - applicant National Commission for Scheduled Tribes raises objection that firstly the application is not supported with affidavit and secondly that the earlier order granting status quo to the petitioner stands discontinued and thirdly that this intervenor has right to reply to the application. Therefore, the application may be rejected. Learned counsel for the State submits similarly that the application cannot be entertained as it is not supported with an affidavit and further the application

is for making a prayer for passing of order which cannot be said to be a simple modification, therefore, this application cannot be entertained.

This application cannot be entertained because of technicalities. It is submission of learned counsel for the petitioner, that the oral request on behalf of the petitioner may be considered, which is opposed by learned counsel for the respondents.

As the fact situation is that the petitioner was granted interim relief by order dated 04-09-2019, which could not be continued due to the circumstances that have arisen in between. For the reason that interim relief was granted during the pendency of hearing and the final hearing in this case is still pending, further, once it has been found fit for grant of interim relief, therefore, I feel inclined to continue the same till the next date of hearing. Hence, it is ordered that the interim relief as granted on 04-09-2019 shall continue till the next date of hearing.

The application for modification stands disposed off.

List this case on 16-10-2019.

Sd/-

(Rajendra Chandra Singh Samant)

Judge