



2026:CGHC:39404



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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 848 of 2026**

Birbal Ram Kujur S/o Banarsi Ram Kujur, Aged About 58 Years
Working As Assistant Grade -2, Posted At District Archaeological
Museum, Rajnandgaon, District Rajnandgaon C.G.

... Applicant**versus**

1 - State Of Chhattisgarh Through Secretary Department Of Culture
And Archeology, Mantralaya Mahanadi Bhawan, Atal Nagar Raipur
District Rapiur C.G.

2 - The Director Department Of Culture And Archeology, Mahant
Ghasi Das Smarak Sanghralhalaya, Near Ghadi Chowk Raipur C.G

3 - The Curator, Mahant Ghasi Das Smarak Sanghralhalaya, Near
Ghadi Chowk Raipur C.G.

4 - District Archaeological Museum Rajnandgaon Through Collector
Rajnandgoan District Rajnandgaon C.G.

... Respondent(s)***(Cause title taken from CIS)***



For Applicant : Shri Varunendra Mishra, Advocate
For Respondent(s) : Shri K.G. Yadav, Dy. Govt. Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

09.09.2026

1. The present MCC has been filed seeking restoration of WPS No. 5753/2026, which was dismissed for want of prosecution due to non-appearance on behalf of the petitioner on 05.08.2026.
2. Learned counsel for the applicant submits that when the aforesaid Writ Petition was called for hearing before this Court, he was engaged and appearing before another Court and, therefore, could not appear before this Court when the matter was called. It is submitted that the non-appearance on behalf of the petitioner was neither deliberate nor intentional, but was due to the aforesaid bona fide and inadvertent circumstance. It is further submitted that the petitioner ought not to be made to suffer on account of such an inadvertent lapse on the part of the learned counsel.
3. In view of the facts and circumstances stated hereinabove, learned counsel for the petitioner prays that the order



dismissing WPS No. 5753/2026 for want of prosecution may kindly be recalled and the Writ Petition be restored to its original number and position in the interest of justice.

4. On due consideration of the submissions made and for the reasons assigned in the application, duly supported by an affidavit, this Court is satisfied that sufficient cause has been shown for restoration of WPS No. 5753/2026.
5. Accordingly, the MCC is allowed. The order dismissing WPS No. 5753/2026 for want of prosecution is hereby recalled. The Registry is directed to restore WPS No. 5753/2026 to its original number and position, subject to payment of cost of Rs.2,000/- (Rupees Two Thousand only), payable to the Chhattisgarh High Court Bar Association Library Fund.
6. With the aforesaid direction, the MCC stands disposed of.

Sd/-

(Bibhu Datta Guru)
Judge

Shoaib