

MCC No.624/2012**31.5.2012**

Shri Ramesh Singhal, learned counsel for the applicant/petitioner.

Ku. Mini Ravindran, Government Advocate for the respondents.

Heard on the petition. The same is preferred for restoration of Writ Petition No.4786/12(O), which has been dismissed on account of noncompliance of the peremptory order dated 17.5.2012 directing to pay PF within the prescribed period.

Having perused the averments of the petition, which is further supported by affidavit of appearing counsel of the applicant, I am satisfied that sufficient cause is made out for restoration of the aforesaid writ petition. Even apart it is settled preposition of law that litigant should not suffer because of some mistake of his counsel as laid down by the Apex Court in the matter of Rafiq & another v/s Munshilal & another, reported in **AIR 1981 SC 1400**. Hence, this petition is allowed and subject to verification of compliance of the aforesaid peremptory direction of order dated 17.5.2012 regarding PF even at belated stage the aforesaid such writ petition is restored to its original number and the Office is directed to proceed further in compliance of the order dated 17.5.2012.

In view of the aforesaid the application filed by the applicant for condoning the delay does not require any further consideration, hence, I.A. No.3245/12 is disposed of.

(U.C. Maheshwari, J.)