

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.7601 OF 2015

ORDER:

The petitioners pray for Mandamus complaining against the inaction of respondent in taking up revision petitions dated 05.03.2015 and 09.03.2015 and passing orders, as illegal, contrary to the Tobacco Board Act, 1975 (for short 'the Act').

At the time of hearing, the learned counsel for the petitioners draws the attention of the Court to the notice dated 19.03.2015 informing the date of hearing in revisions before the Revisional Authority on 24.03.2015. Having regard to this development, the learned counsel prays for consideration of his alternative prayer viz. to permit all the petitioners to be represented by an Advocate as the hearing is scheduled in Bangalore and the farmers firstly may not be well equipped financially and otherwise to go and personally present their case in Bangalore.

On instructions, the learned standing counsel submits that the respondent does not have objection to permit one of the petitioners to represent all the other petitioners in the hearing. Further, the learned standing counsel submits that the Act does not provide for representation of revision petitioners by authorised Agent or Advocate.

I have considered the respective submissions. After perusing the scheme of the Act, no doubt, the Act does not provide for representation of revision petitioner by an Advocate. But at the same time, there is no restriction for giving fair and reasonable opportunity to the revision petitioners. When the respondent does not have objection to permit one of the petitioners to represent all other petitioners, likewise extending the same reasoning there ought not to

be any objection to permit a counsel to represent the petitioners along with one of the petitioners.

The writ petition is disposed of by directing the respondent herein to permit one of the petitioners and an Advocate to represent their case in the hearing scheduled on 24.03.2015. No order as to costs.

Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

S.V.BHATT, J

Date:23.03.2015
Stp