

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.2689 of 2015

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ORDER:

This revision is preferred challenging order dated 22.01.2015 in Case No.F3/1611/2014 on the file of Joint Collector, Medak at Sangareddy.

2. Revision petitioner herein preferred appeal under Section 24 of A.P. (TA) Inams Abolition Act, 1971 challenging orders of the Revenue Divisional Officer, Siddipet, dated 31.10.1993, to which, ORC was granted in favour of Late Mohd.Naseeruddin in respect of land in Sy.No.783 admeasuring Ac 7.20 guntas. According to affidavit of revision petitioner filed in support of the Interlocutory Application, on 17.01.2015, revision petitioner submitted his written arguments in the office under proper acknowledgment, but the Joint Collector dismissed appeal on 22.01.2015 on the ground that petitioner herein is not interested in pursuing the case.

3. As seen from the order under challenge, the case was first called on 03.07.2014 and it was adjourned from time to time and it was finally called on 22.01.2015 for admission but on 22.01.2015 neither petitioner nor his counsel are present, and as no interest was shown, the Joint Collector dismissed the case holding that applicant is not interested in pursuing the case.

4. Now the contention of advocate for revision petitioner is that on 17.01.2015 itself, revision petitioner herein filed written statement, in spite of that, the Joint Collector dismissed appeal without giving any opportunity to revision petitioner. Revision

petitioner herein filed a copy of that written arguments along with memo dated 17.01.2015. As seen from the memo, it is not known who received it and it only contains the initial with date. Learned advocate contends that it bears seal of the Joint Collector. Learned advocate produced the original and it bears the seal, dated 17.01.2015, according to which, leaned advocate for appellant submitted written arguments in 1+7 copies, and to treat it as oral arguments. But as seen from the record, there was no hearing on 17.01.2015 and the case was listed on 22.01.2015 and no reason is given in the affidavit of revision petitioner as to why he did not appear before the Joint Collector on 22.01.2015. If really, revision petitioner herein is interested, what is required under law is to show sufficient cause for his absence on the date of hearing i.e., on 22.01.2015, and without showing any such cause, petitioner cannot find fault with the appellate authority in dismissing the appeal for default. Even before this Court, petitioner failed to show any reason for his absence on 22.01.2015, therefore, I am of the considered view that the Joint Collector has not committed any error in dismissing the appeal for default and that there is no illegality or irregularity in the order of the Joint Collector dated 22.01.2015.

5. For these reasons, I am of the view that there are absolutely no grounds to interfere with the findings of the Joint Collector and that revision is devoid of merits.

6. Accordingly, this Civil Revision Petition is dismissed. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 11-09-2015.

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