

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22450 of 2013

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Tara Bhushan Prasad S/O Late Baldeo Prasad Resident Of Village- Kurha,
P.S-Sahebpur Kamal, District- Begusarai.

.... Petitioner

Versus

1. The State Of Bihar
2. Sub Divisional Magistrate, Ballia, District- Begusarai.
3. District Collector Cum District Magistrate, Begusarai.
4. Divisional Commissioner, Monger.

.... Respondents

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Appearance :

For the Petitioner : M/s Pramod Man Bانش and
Dr. Kumar Binode Bariar, Advocates

For the State : Mr. Siddharth Shankar Pandey, AC to G.P. No. 24

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 05-04-2016

Heard parties.

Petitioner has raised a limited issue at the time of hearing that his restoration application for restoring the Supply Revision No. 20/2011 which was dismissed for default on 4.7.2011, has been dismissed without assigning any reason and without considering the grounds raised by the petitioner.

In my view when the revision was dismissed on 4.7.2011 and restoration case was immediately filed which appears to have been dismissed on 2.8.2011 the same should have been considered favourably as the endeavour of all the courts and authorities should be to decide the issue on merit in place of rejecting the same on technical grounds. It does not appear that

any reason has been assigned for refusal to restore the revision to its original file.

In above view of the matter, this writ application is being disposed of with direction to the revisional authority to restore the revision of the petitioner and, thereafter, dispose of the Supply Revision No. 20/2011 on its own merit and in accordance with law within a reasonable time. It is made clear that the petitioner would be required to appear on the date fixed. If he again fails to appear on the date fixed then the revisional authority would be at liberty to proceed and decide the matter even in his absence.

(Dr. Ravi Ranjan, J)

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