

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 22417 of 2016

ORDER:

Heard.

The present writ petition is filed questioning the action of the respondent-authorities in rejecting the revision application filed by the petitioner, pursuant to the order dated 21.05.2016.

Learned counsel for the petitioner mainly submits that due to limited knowledge of law, no substantial grounds were taken in the statutory revision application filed before the first respondent for condonation of delay in filing the revision application.

Learned Government Pleader for Mines states that no reasonable explanation is given for filing revision under Section 35-C of APMMC Rules, 1966, with a delay of 8 months 11 days. She further states that original demand notice was not filed as mandatory under the said Rule. Hence, the authorities were left with no other option except rejecting the application.

Without going into merits of the case, having regard to the above circumstances and since the demand notice issued was for Rs.2 crores, in the interest of justice, the authorities shall consider the revision on merits, instead of rejecting it on delay and consequently the order under challenge is liable to be set aside.

Accordingly, the writ petition is allowed, the order under challenge is set aside and the matter is remanded back to the revisional authority. The petitioner shall file all the necessary documents as per the Rules within a period of two weeks from the date of receipt of a copy of this order. It is needless to mention that the said revision shall be disposed of, as expeditiously as

possible, after hearing the petitioner, within a period of three months therefrom.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C. PRAVEEN
KUMAR**

12.07.2016
vhb