

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No.609 of 2017**

Khagesh Ram Sonwani S/o Shri Shyam Lal Sonwani, Aged About 39 Years Caste Satnami (Scheduled Caste), Sarpanch, Gram Panchayat Chakarda, Development Block Bilaigarh, Tahsil Bilaigarh, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

-----Petitioner

Versus

1. State Of Chhattisgarh Through The Collector, Baloda Bazar, District Baloda Bazar, Chhattisgarh.
2. The Sub Divisional Officer, Bilaigarh, District Baloda Bazar, Chhattisgarh.
3. The Chief Executive Officer, Japad Panchayat Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
4. Uttari Bai W/o Ramchand Sahu, Aged About 44 Years Caste Teli, Category O B C, Up Sarpanch, Gram Panchayat Chakarda, R/o Gram Panchayat Chakarda, Development, Block Bilaigarh, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
5. Gyandas S/o Lalit Ram Sahu, Aged About 55 Years Caste Teli, OBC, R/o Gram Panchayat Chakarda, Development, Block Bilaigarh, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
6. Mandanlal S/o Lalitram Sahu, Aged About 55 Years Caste Teli , OBC, R/o Gram Panchayat Chakarda, Development, Block Bilaigarh, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
7. Dhaniram S/o Dwarika Sahu, Aged About 58 Years Caste Teli, OBC, R/o Gram Panchayat Chakarda, Development, Block Bilaigarh, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
8. Gadaram S/o Ramkishun Yadav, Aged About 65 Years Caste Rawat, Caste Teli, OBC, R/o Gram Panchayat Chakarda, Development, Block Bilaigarh, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.
9. Sirdhar S/o Mayaram Sahu, Aged About 42 Years Caste Teli, OBC, R/o Gram Panchayat Chakarda, Development, Block Bilaigarh, Tahsil Bilaigarh, District Baloda Bazar Bhatapara, Chhattisgarh.

----- Respondents

For Petitioner	:	Mr.Shailendra Dubey, Advocate
For Res.No.1 and 2	:	Mr.Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/08/2017

- 1.** The petitioner's revision preferred against the order dated 27.3.2017 has been rejected on the ground that there is delay of 14 days in filing the same without noticing to other side and without assigning valid and sufficient reasons.
- 2.** Learned counsel for the petitioner would submit that sufficient cause has been shown in the application filed by the petitioner under Section 5 of the Limitation Act, yet the Collector, Balodabazar-Bhatapara has dismissed the application as well as the revision. He would further submit that the petitioner was unwell, therefore, he could not prefer the revision right in time, but the Collector has not considered the same and dismissed the revision.
- 3.** On the other hand, learned State Counsel would support the impugned order.
- 4.** After hearing learned counsel for the parties, I am of the considered opinion that sufficient cause has been shown in filing the revision with a delay of 14 days, therefore, the Collector ought to have condoned the delay and could have heard the revision on merits. That has not been done by the Collector.
- 5.** Accordingly, the impugned order is set aside. The matter is remanded back to the Collector, Balodabazaar-Bhatapara directing to decide the revision strictly in accordance with law

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on its own merit within a period of 45 days from the date of receipt of copy of this order after noticing affected parties.

6. The writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)

Judge

B/-