

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1134 of 2017

Mahendra Kumar S/o Shri Ramkumar, Aged About 55 Years Caste - Dhimar, Resident Of Village - Ugetara, Tahsil - Abhanpur, District - Raipur (Chhattisgarh)

---- Petitioner

Versus

1. Devkumar Sahu S/o Lacchan Sahu, Through Attorney Holder Mohni Devi W/o Chandrika Sahu, Resident Of Village - Nawapara, Rajim, Tahsil - Abhanpur, District - Raigarh Chhattisgarh
2. State Of Chhattisgarh Through: Collector, Raipur, District - Raigarh Chhattisgarh
3. The Board Of Revenue, Bilaspur, Camp Court Raipur, District - Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vineet Kumar Pandey, Advocate
For Respondent / State	:	Shri Chandresh Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/06/2017

Challenge is to impugned order dated 25/07/2016 on the ground that revision petition has been dismissed without recording any reason and at the same time, holding it to be premature and suffers from technical defects.

The order, to say the least, is non-speaking. The Commissioner passed an order dated 16/07/2015 remanding the case to Tahsildar. This order is clearly revisable. Once an order is passed, the revision petition would be maintainable and cannot be said to be premature.

What technical defects warranted dismissal of the revision petition has not been stated in the order. Therefore, the impugned order is set aside. The Board of Revenue shall consider petitioner's revision on its own merits. This petition is accordingly allowed.

Sd/-
(Manindra Mohan Shrivastava)
Judge