

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16323 of 2011

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Sarfuddin Khan @ Sarfuddin Khan Majid Khan @ Abdul Aziz, Resident of
Village- Phulwaria, Police Station- Pipra Kothi, District- East Champaran
.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary Department Of Forest,
Government Of Bihar, Patna.
 2. The Secretary Department Of Forest, Government Of Bihar, Patna.
 3. The District Magistrate, Patna
 4. The Divisional Forest Officer Extension Forest Division, Patna.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Prahlad Kr. Bhagat GP 13

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

11 07-09-2018 Admittedly, the revisional order dated 31.05.2011

has been passed in Forest Revision Case No. 6 of 2008, not on
merit but on account of the revision petition of the petitioner being
time barred. This Court being vested with equitable jurisdiction
under Articles 226 and 227 of the Constitution of India, has to
balance out the equities, hence it would be in the interest of justice
and equitable to quash the order dated 31.5.2011 passed in Forest
Revision Case No. 6 of 2008 and remand the matter back to the
revisional authority for consideration of the revision petition of the
petitioner on merits.

The writ petition is allowed, the order dated 31.5.2011
passed in Forest Revision Case No. 6 of 2008 is quashed and the revisional
Court is directed to consider the revision petition of the petitioner on



merits and pass a reasoned order within a period of twelve weeks from today.

(Mohit Kumar Shah, J)

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