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HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1736 of 2017**

Chairman Shala Vikas Samiti, Akoli Govt. Primary School Akoli , P. S.
Bhatapara Rural , Tahsil Bhatapara, District Raipur Now Baloda Bazar
Bhatapara Chhattisgarh. --- **Petitioner**

Versus

1. Ghanshyam S/o Devaram Verma, Aged About 55 Years R/o Akoli, P. S. Bhatapara, Tahsil Bhatapara, District Raipur Now Baloda Bazar Bhatapara Chhattisgarh.
2. State of Chhattisgarh through Collector, Raipur, District Raipur Now Baloda Bazar Bhatapara District : Balodabazar-Bhathapara, Chhattisgarh
3. Nakul Singh Thakur, Aged About 45 Years R/o Amlidih, P. S. Bhatapara, District Raipur Now Baloda Bazar - Bhatapara District : Balodabazar-Bhathapara, Chhattisgarh (Supurdar) --- **Respondents**

For the applicant	:	Mr. Hemant Gupta, Advocate.
For the State	:	Mr. Suryakant Mishra, P.L.
For respondent No.3	:	Mr. Aman Kesarwani, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****30.04.2018**

1. This petition has been filed for restoration of Cr.R.No.494/2001 which was dismissed on 02nd April, 2009.
2. A perusal of the order dated 02nd April 2009 shows that Criminal Revision No.494/2001 was dismissed for default of appearance.
3. As per the law laid down in ***2007(7) SCC 623 – Madan Lal Kapoor Vs. Rajiv Thapar***, the criminal revision cannot be dismissed for default and it must be decided on merits as it relates to administration of criminal justice. This Court has also followed the same dictum in the matter of ***Laxmi Prasad Soni Vs. State of Chhattisgarh*** reported in

2015 (2) CGLJ 57.

4. Since the criminal revision is dismissed for default, the order dated 02nd April, 2009 is recalled. Accordingly, Criminal Revision No.494 of 2001 is restored to its original number.

Sd/-

**GOUTAM BHADURI
JUDGE**

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