

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 69 of 2020

- Rajvansh Associate Bagbahara, Through The Partner Vikas Bagga S/o Harbansh Lal Bagga, R/o Bagbahara, Police Station Bagbahara, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Collector, Food Department, Bagbahara, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh

--- Respondent

For Applicant – Shri Shikar Sharma, Advocate.

For State/respondent – Shri Arijit Tiwari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-02-2020

Heard.

1. This criminal revision has been brought against the order dated 07-12-2019 passed by the Additional Sessions Judge (F.T.C.) Mahasamund, Chhattisgarh in Criminal Appeal No.H-17/2016 by which the appeal filed by the applicant was dismissed for non-prosecution.
2. It is submitted that the applicant did not have information regarding the date fixed for hearing and his counsel also did not inform and sought instruction from the applicant, therefore, the applicant may be given one chance to prosecute his appeal. Hence, it is prayed that this petition be allowed.
3. Learned counsel for the State/respondent opposes the petition submitting that the applicant himself was negligent in prosecuting the appeal and did not keep contact with his counsel, therefore, the case was dismissed for want of prosecution. Hence, the petition be dismissed.
4. Heard learned counsel for the parties and perused the documents.
5. As the confiscation order passed by the Collector (Food Branch)

Mahasamund was challenged in the appeal and the applicant is still interested in prosecution of that appeal, therefore, the applicant is entitled for a limited opportunity. Hence, this revision petition is disposed off at motion stage. The impugned order is set aside and the aforesaid criminal appeal is restored to its original number. The applicant is directed to give appearance before the appellate Court on 23rd of March, 2020. It is also directed that the appeal be disposed off within a period of one month from the date of appearance of the applicant.

Sd/-

(Rajendra Chandra Singh Samant)
Judge