

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3486 of 2022

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Paras Manjhi, aged about 53 years, male, son of Bhagelu Manjhi, resident of Village-Chanawe, P.S.-Thawe, Gram Panchayat-Lachhawar, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
2. The Principal Secretary, Department of Food and Civil Supplies, Government of Bihar, Patna.
3. The Commissioner, Saran Division, Chapra.
4. The District Magistrate-cum-Collector, Gopalganj.
5. The Sub-Divisional Officer, Gopalganj, District-Gopalganj.
6. The Block Supply Officer, Kuchaikote, District-Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Upendra Yadav, Adv.
For the Respondent/s : Mr. Upendra Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 27-04-2022

Heard Mr. Upendra Yadav, learned advocate for the petitioner and Mr. Upendra Pratap Singh for the State.

The petitioner is aggrieved by the order passed by the learned Commissioner, Chapra / Revisional Authority who has refused to restore the revision petition which had been dismissed for non-prosecution on the ground that on three dates when the



matter was called out, there was no representation on behalf of the petitioner/revisionist.

From the perusal of the order impugned, we do not find any folly as the medical certificate furnished by the petitioner in support of his contention that because of illness, he could not attend to his case, does not appear to be satisfactory as there is no definite explanation with respect to the absence of the petitioner on three dates when the revision petition was called out in Court.

However, in larger interest of justice, we direct the learned Revisional Authority to hear the petitioner on merits on presentation of a copy of this order within a period of thirty days.

While saying so, we have taken into account that the license of the petitioner had been cancelled, which order has been sustained by the appellate authority. A decision by the Revisional Authority would put a quietus to the entire dispute and we are of the view that everyone should have the opportunity of representing his case till the last forum.

Thus, without finding fault with the order passed by the learned Revisional Authority rejecting the prayer for restoring the revision petition which had been dismissed for non-prosecution, we direct for the revision to be decided on merits.



With the aforesaid observation and direction, this writ application stands disposed of.

(Ashutosh Kumar, J)

(Anjani Kumar Sharan, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.04.2022
Transmission Date	

