

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20597 of 2011

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KUMARI SHUSHILA Wife Of Shri Do Narayan Yadav Resident Of Village -
Harinagar, Ancehal P.S. - Triveniganj, District - Supaul, Anganbari Sevika At
Centre No. 71, Sikiyahi, Anchal- Triveniganj, District - Supaul

... .. Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Department Of Human Resources Development,
Government Of Bihar, Patna
3. The Director, Social Welfare Department, Government Of Bihar, I. C. D. S ,
Directorate, Indira Bhawan, West Boring Canal Road, Patna.
4. The Commissioner, Koshi Division, Saharsa
5. The District Superintendent Of Education, Supaul
6. The District Magistrate-Cum-District Officer, Supaul
7. The District Programme Officer, Supaul
8. The Additional Collector, Supaul
9. The Child Development Project Officer, Triveniganj, District - Supaul

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Upendra Yadav, Advocate
For the Respondent/s : Mr.Shankar Kumar, AC to AAG-7

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-02-2023 Heard learned counsel for the petitioner and the State.

Challenge in the present writ application is to the order dated
15.09.2011 passed by the Commissioner, Koshi Division,
Saharsa in Aaganbari Revision No. 57 of 2011.

Learned counsel for the petitioner submits that on a
bare perusal of the revisional order it would appear that the
Commissioner, Koshi Division, Saharsa has not at all
considered the revision application on its own merit. The
revision application has been dismissed only by taking note of



the admission of learned counsel that the attendance register had 40 names recorded whereas only 22 were present.

It is submitted that the remedy of revision is in the nature of a statutory remedy available to the petitioner, therefore, the Commissioner was obliged to consider the submissions of the revision petitioner and discuss the same before passing an appropriate order.

Learned counsel for the State does not dispute that the revisional order does not contain reasons.

In view of the admitted position that the revisional order is an unreasoned order and it suffers from non-consideration of the grounds raised in the revision application, this Court sets aside the impugned order dated 15.09.2011 passed in Aaganbari Revision No. 57 of 2011. The Commissioner, Koshi Division, Saharsa shall consider the revision application afresh after giving an appropriate opportunity of hearing to the petitioner. A reasoned order shall be passed within a period of three months from the date of receipt/ communication of this order.

(Rajeev Ranjan Prasad, J)

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