

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.65 of 2024

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Alok Son of Late Dr. Birendra Prasad Singh, Permanent resident of Pathraur House, Ramdhanpur, P.S. - Kotwali, P.O. - Railway Station Gaya, District - Gaya, presently residing at A/84, Gandhi Vihar, Police Colony (Anisabad), Patna, P.S. - Gardanibagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Labour Resources Department, Government of Bihar, Patna.
2. The Director (Employment and Training), Labour Resources Department, Government of Bihar, Patna.
3. The Vocational Rehabilitation Centre for Handicapped, Ministry of Labour and Employment, Government of India, Patna.
4. The Divisional Commissioner, Patna Division, Patna.
5. The District Magistrate -cum- Collector, Patna.
6. The Sub-divisional Officer -cum- Rent Controller, Sub- division - Patna Sadar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Akshansh Ankit, Advocate
For the Respondent/s	:	Mr.Raghwendra Kumar (Sc 22)
For UOI	:	Mr.Ratnesh Kr., Sr. CGC
		Mr.Aditya Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 02-12-2024 1. Though the present petition has been filed not only for setting aside the order dated 30.12.2022, passed in BBC Appeal Case No.01 of 2018-19, by the learned Collector-cum-District Magistrate, Patna but also the order dated 02.01.2024, passed in BBC Revision Case No.137 of 2023, however, at the outset, the learned counsel for the petitioner has submitted that the said revision petition filed by the petitioner has been dismissed for default, which has resulted in great prejudice



being caused to the petitioner, hence the proceedings of the said revision case be revived and the revisional authority be directed to consider the revision petition filed by the petitioner on its own merit and in accordance with law.

2. Per contra, the learned counsel for the respondent-State submits that in case the matter is remanded back to the revisional authority, the revisional authority shall definitely examine the case of the petitioner on merits and dispose off the same by a reasoned and a speaking order within a stipulated time frame, as is fixed by this Court.

3. Having regard to the facts and circumstances of the case, considering the equities prevailing in the present case and in the interest of justice, I deem it fit and proper to quash the order dated 02.01.2024, passed by the learned Divisional Commissioner, Patna in BBC Revision Case No.137 of 2023, whereby and whereunder the revision petition, filed by the petitioner, has been dismissed for default and remand the matter back to the learned Divisional Commissioner, Patna for considering the said revision petition on its own merits, who shall be obliged to pass a reasoned and a speaking order, in accordance with law, within a period of six weeks of receipt/production of a copy of this order.



4. The writ petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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