**HIGH COURT OF TRIPURA**
**AGARTALA**

**CRP No.53/2025**

1. The State of Tripura, represented by the Secretary to the Government of Tripura in the Health & Family Welfare Department, Secretariat, New Capital Complex, P.O.-Agartala, Pin-799010.

2. The Director of Health Services, P.N. Complex, Gurkhabasti, P.O.-Agartala, District-West Tripura, Pin-799006.

3. The Chief Medical Officer, Gomati District, Udaipur, P.S.-Radhakishorepur, Pin-799120, Tripura.

…….. Petitioner(s).

V E R S U S

Smt. Namita Roy Choudhury, D/O. Late Pravakar Roy Choudhury, resident of Kakraban (Near Kakraban Market) P.O. & P.S.-Kakraban, District-Gomati Tripura.

……..Respondent(s).

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For Petitioner(s) : Mr. Raju Datta, Advocate.

For Respondent(s) : Mr. Bibek Banerjee, Advocate,
Ms. Ruma Majumder, Advocate.

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**HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO**

**Order**

**09/12/2025**

This revision is preferred against the order dt.27.05.2025 passed by the Civil Judge (Junior Division), Court No.1, Udaipur, Gomati District in T.S. No.10 of 2023 on the file of the said Court.

2. In the said order, the said Court had rejected plea for condonation of delay and also to set aside an order dt. 05.01.2024 making the petitioner-State Government *ex parte* in the suit filed by the respondents against it.

3. The operative part of the judgment of the trial Court is as under:

> "*Heard both sides.*
>
> *Accordingly, this court finds force in the submission of the Learned Counsel of the Plaintiff and hence, the petition filed by the Defendants side, is hereby, rejected*."

4. A perusal of this portion of the order of the Court below indicates that no reason is assigned by the said Court by independently applying its mind to the contentions of both sides for rejecting the application filed by the petitioner.

5. Therefore, without expressing any opinion on the matter, the impugned order is set aside. Matter is remitted to the same Court for referring to the contentions of both sides, dealing with the said contentions and also for passing a reasoned order in accordance with law. Both parties shall be heard afresh before passing such an order.

6. This exercise shall be completed within 4(four) weeks from today.

7. The revision petition is allowed to the above extent.

8. Pending application(s), if any, stands disposed of.

**(M.S. RAMACHANDRA RAO, CJ)**

*Pulak*

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