

In The Court of Commissioner, Saran Division, Chapra
Supply Rev. No. 159/2016
Durga Chaudhary
Vrs.
The State of Bihar
ORDER

The instant revision application is directed against the impugned order passed by D.M. Siwan on 18.12.2015 whereby and whereunder the petitioner's prayer for restoration of his original Supply Appeal case No. 103/2009 was rejected.

Heard the learned counsel for the parties.

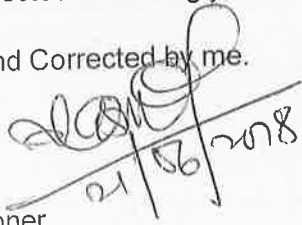
The learned counsel appearing on behalf of the petitioner submitted that the petitioner had filed a case bearing Supply Appeal No. 103/2009 before D.M. Siwan but the said case was dismissed in default by the D.M. vide order dt. 22.12.2013. He further submitted that when he preferred a petition vide Misc. (Supply) case No. 149/2013-14 for the restoration of the said case, his restoration petition was also dismissed. The learned counsel strongly submitted that as no substantial justice has been done to the petitioner this Court exercising the power under revision can direct the D.M. Siwan to restore the case earlier dismissed in default and to dispose of the same on merit.


The learned Spl. P.P. vehemently opposed the submission forwarded by the learned counsel for the petitioner and submitted that the present petition does not deserve to be considered by this Court.

Having regards to the facts and circumstances of the case, this Court does not find any good ground to make any interference in the impugned order. It is seen that the original case of the petitioner has been dismissed in default for non-appearance on several dates and subsequently restoration petition was also filed after expiry of the statutory period. It is also important to be noted that the restoration petition has been dismissed on the ground of inordinate delay caused in preferring the same. This attitude of the petitioner shows that he has no real interest to pursue his case properly for the ends of justice.

For the reasons stated above and also the present petition being devoid of any merit, is rejected accordingly,

Dictated and Corrected by me.


21/06/2018
Commissioner
Saran Division, Chapra.


21/06/2018
Commissioner
Saran Division, Chapra.