

W.P.(C) NO.12113 OF 2015

25.12.2016 Heard learned counsel for the parties.

This writ petition has been filed solely on the ground that the proceeding involved in the Appeal Case No.60/2014 under Section 91(2) of the O.D.A. Act has been decided in absence of the petitioner.

In filing the writ petition, the petitioner has indicated the reasons for his non-appearance on the fateful date. Finding the reasons assigned and as a decision in the Appeal Case has been taken in absence of hearing of the petitioner, this Court interferes with the impugned order under Annexure-4 and sets aside the same, but however since the Appeal needs to be freshly heard and decided, the matter is remitted back to the appellate authority directing the petitioner and other contesting parties to appear before the appellate authority on 19.12.2016 along with a copy of this order and on such appearance, the Appeal Case shall be posted for hearing to another date and the Appeal shall also be concluded within two months thereafter.

The writ petition stands disposed of.

Issue urgent certified copy.

Biswanath Rath, J.