

Noting by Officer or Advocate	Serial No	Date		Office notes, reports, orders or Proceedings with signature
				<p style="text-align: right;"><b><u>Rev. Pet. No. 40 of 2017</u></b></p> <p style="text-align: center;"><b>BEFORE</b> <b>THE HON'BLE MR. JUSTICE S. TALAPATRA</b></p> <p><u>25.09.2017</u></p> <p>Heard Mr. A. Bhowmik, learned counsel appearing for the petitioner as well as Ms. A. S. Lodh, learned Addl. G.A. appearing for the respondents.</p> <p>By the order dated 23.08.2017, the writ petition being WP(C) No. 875 of 2016 was dismissed inasmuch as it was contended that its averments were not affirmed by affidavit as required under Chapter-VA of the Gauhati High Court Rules, as adopted by this Court. When the order was passed, even the learned counsel appearing for the petitioner had acceded to the submission to that effect made by Mr. Lodh, learned counsel appearing for the respondents No. 7, 10, 11 and 20 that the writ petition was not supported by affidavit.</p> <p>Mr. Bhowmik, learned counsel appearing for the petitioner has submitted that for inadvertence, he could not point out at that point of time that the original writ petition was affirmed by affidavit, but subsequently when the writ petition was amended and the amended copy was filed, the learned counsel appearing for the respondents No. 7, 10, 11 and 20 had asserted before this Court that the writ petition was not affirmed by affidavit.</p> <p>This Court has scrutinized the original records of the writ petition being WP(C) No. 875 of 2016 and finds that the original writ petition is duly supported by affidavit and as such, is of the view that the observation was made for not pointing out the material aspects as indicated now. Therefore, this Court is of the view that this review petition is liable to be allowed and accordingly, this petition stands</p>

Noting by Officer or Advocate	Serial No	Date		Office notes, reports, orders or Proceedings with signature
				<p><b><u>Rev. Pet. No. 40 of 2017</u></b></p> <p>allowed by restoring the writ petition being WP(C) No. 875 of 2016.</p> <p>No order as to costs.</p> <p><b>JUDGE</b></p>