

Shri Pabindra Nath Sarma Vs Shri Jagadish Seal

Court: Gauhati High Court

Date of Decision: March 6, 1985

Citation: (1985) 1 GLR 292

Hon'ble Judges: T. Nandakumar Singh, J

Bench: Single Bench

Advocate: T.S. Deka, J. Das and N.S. Deka, for the Appellant; None, for the Respondent

Judgement

T.N. Singh, J.

This matter has come up for admission today but it is a matter which has to be disposed of at the threshold. Because, it arises out of a proceeding u/s which legislature intended to be seasonal" to take care of "emergency" situation.

2. After hearing learned Counsel for the Petitioner, Mr. T.S. Deka I am impressed by only one aspect of the case, otherwise I did not see any

reason for this Court's interference in this matter. It is this Learned Sessions Judge before whom a revision was Preferred against the order

rendered by the trial court, has not properly disposed of the proceeding. Though a longish judgment was written, it is submitted, it is bereft of any

discussion of evidence. This objection is indeed fatal in my opinion.

3. Even as a revisional Court it is learned Sessions Judge's bounden duty to discuss evidence threadbare as final court of facts and then arrive at

his own independent findings before recording any conclusion. Accordingly mere dittoing the findings.