

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.766 of 2008

In

Civil Writ Jurisdiction Case No. 8014 of 1997

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Ganesh Ram @ Gyaneshwar Das, son of Late Tilu Ram, resident of village
Dimaha, P.O. Gopalpur, District Bhagalpur

.... Petitioner/Appellant

Versus

1. The State of Bihar
2. The Director General of Bihar Military Police, Bihar, Patna
3. The Inspector General of Police, Bihar Military Police, Patna
4. The Deputy Inspector General of Police, B.M.P. North Zone,
Muzaffarpur
5. The Commandant, Bihar Military Police-16, Phulwari Sharif, Patna

.... Respondents/Respondents

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA**

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

6 12-01-2015

I.A.No. 6087 of 2008

Heard learned counsel for the appellant and learned
counsel for the State.

The interlocutory application has been filed for
condonation of delay of 8 years and 291 days in filing the appeal.
In the limitation petition the ground for delay was stated simply as
due to poverty and ignorance of limitation. Subsequently a
supplementary affidavit has been filed in which an entirely
different story is narrated trying to throw the blame upon an
Advocate who is alleged to have been entrusted with the file for
filing an appeal and against whom various allegations have been
made relying upon the fact that the said Advocate cannot

controvert the said allegations as he has died before filing of the appeal itself.

In the aforesaid circumstances, we are of the view that no good ground has been made out for condoning the delay in filing the appeal. The application for condonation is, accordingly, dismissed.

I.A.No. 6087 of 2008 is thus disposed of.

In view of the dismissal of the application for condonation of delay, the appeal is also dismissed.

(Ramesh Kumar Datta, J)

(Vikash Jain, J)

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