

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13697 of 2008

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Brahamdeo Sharma, son of late Madhusudan Sharma, resident of village – Bari Nakki, P S - Chooti Nakki, District –Bhagalpur at present posted as Mohrarir, Survey Settlement Office, Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Revenue and Land Reforms Department, Secretariat, Patna.
2. The Director, Survey and Record Department of Revenue, Govt. of Bihar, Patna.
3. The Survey Settlement Officer, Bhojpur, Ara.
4. The Survey Settlement Officer, Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. G K Jha
Mr. S K Jha

For the Respondent/s: Mr. Vijay Prakash Verma, AC to GA 13

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 30-04-2015

If two facts are not denied that the appeal filed by the petitioner was time barred or delayed and that no condonation application was filed along with the appeal, then the only corollary would be dismissal of the appeal being time barred. This is the order which has been passed by the appellate authority on 14.12.2006.

2. If the order of rejection of the appeal on the above ground is not illegal, then the Court will not exercise its discretion by setting aside that order because the order is not, per say, illegal.

3. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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