

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15849 of 2006

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Murtuja Ansari, son of Late Sahabiddin Ansari, Resident of village Rajandih, Police Station Rajpur District Rohtas, at present Anchal office Ramgarh, District Kaimur

.... Petitioner/s

Versus

1. The Commissioner, Patna Division, Patna
2. The Collector, Kaimur at bhabua
3. The Sub Divisional Officer cum Conducting officer, Mohania, District Bhabua
4. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Bihari Singh

For the Respondent/s : AC to Principal Additional Advocate General

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-02-2015 Heard Sri Binod Bihari Singh, learned counsel for the petitioner and learned AC to Principal Additional Advocate General.

The petitioner, invoking writ jurisdiction of this court under Article 226 of the Constitution of India, has prayed for quashing of an order dated 16.9.2006 passed in Service Appeal No. 64 of 2006. By the said order the appellate court has rejected the appeal preferred by the petitioner on the ground of limitation.

Learned counsel for the petitioner submits that in the limitation petition the petitioner has assigned plausible reason for delay in filing the appeal. Learned counsel for the petitioner has placed reliance on the statement made in paragraph no. 2 of

Annexure – ‘5’ i.e. limitation petition. He submits that earlier the petitioner had not dared to file appeal against the order of the appointing authority. This was the reason for delay in filing the appeal. In filing appeal two years delay has occurred, and as such, the appeal stood dismissed.

Keeping in view the fact that the reason assigned by the petitioner in the limitation petition was not plausible, the court is of the view that the appellate authority has rightly rejected the appeal. There is no requirement for interference with the order of the appellate authority.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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