

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1325 of 2016**

**Arising out of**

**C.W.J.C. No. 7163 of 2014**

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Dr. Indradeo Ranjan, son of late Tanuk Lal Rajak, resident of Village- Manikpur,  
P.O.- Nawabganj, P.S. Fulkaha Bazar, District- Araria

.... .... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Health Department, Government of Bihar, Patna
3. The Principal Secretary, Finance Department, Government of Bihar, Patna
4. The Joint Secretary, Health Department, Government of Bihar, Patna
5. The Superintendent, J.L.N.M.C. Hospital, Bhagalpur

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Sachindra Kumar Tiwary, Advocate

For the Respondent/s :

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date: 16-08-2017**

Delay of 51 days in filing of this appeal is condoned.

I.A. No. 5082 of 2016 stands allowed and disposed of.

After revocation of suspension and reinstating the appellant on 01.12.1998 claiming non-payment of full salary for the period of suspension, the appellant filed the writ petition after a period of more than 16 years and finding the delay to be not properly explained, the writ petition has been dismissed.

We see no error in the order passed by the learned Writ Court warranting reconsideration.

Even though learned counsel for the appellant argues



that appellant had been continuously representing the matter and he is still in service, continuous representation will not help the appellant as he has slept over the matter for 16 years.

In view of the law laid down by the Supreme Court in the case of **S.S. Rathore Vs. State of M.P.- A.I.R. 1990 Supreme Court 10**, the Letters Patent Appeal stands dismissed.

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

P.K.P.

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