

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.890 of 2015

In

Civil Writ Jurisdiction Case No. 5880 of 2008

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1. The State Of Bihar through the Secretary, Rural Development Department, Bihar, Patna.
 2. Agriculture Director, Department of Agriculture, Bihar, Patna.
 3. Deputy Director cum District Magistrate, Madhubani.
 4. Collector cum District Magistrate, Madhubani.
 5. Secretary cum Commissioner, Department of Finance, Bihar, Patna.

.... Appellant/s

Versus

1. Deo Kumar Singh son of Late Singheshwar Singh resident of village Mainapatti P.O.- Maheshware, P.S.- Babu Barhi, District- Madhubani
2. Manoj Kumar Mishra son of Sri Bhagirath Mishra , resident of village P.O.- Jonki , P.S.- Basupatti, District- Madhubani
3. Vijoy Kumar Thakur son of Sri Vishwanath Thakur resident of Patna High Court CWJC No. 14962 of 2007 (2)dt. 22-10-2013 3/6 Ijot P.S.- Damu, Thana- Basopatti, District- Madhubani.
4. Pandey Sunit Kumar son of Pandey Vyas Nandan Prasad , resident of Mohalla - a bate Chowk, P.S. - Madhubani, District- Madhubani.
5. Manoj Kumar Singh son of Sri Sita Saran Singh resident of village and P.S.- Pipraun, District - Madhubani.
6. Sudhir Kumar Sah son of Sri Gajendra Prasad Sah resident of village Chaparia, P.O.- Sighaso, District- Madhubani.
7. Purushottam son of Sri Muchkund Mallick, Mukur resident of village Rampur P.S.- Madhwapur, District- Madhubani.
8. Sushil Kumar Manda son of Sri Ram Kumar Mandal resident of village Narahiya , P.O. - Narahiya, District- Madhubani.
9. Sunil Kumar son of Sri Ram Sundar Thakur resident of village and P.O.- Birpur, District- Madhubani.
10. Arun Kumar Singh son of Sri Diistrict Education Officer Nandan Singh ' resident of village Bausi , P .O.- Tirhute District- Madhubani.
11. Run Kumar Jha son of Sri Narayan Jha resident of villageand P.S.- Manpur, District- Madhubani.
12. Sanjeev Singh son of Dharendra Prasad Singh resident of village and P.O.- Narpati Nagar, District- Madhubani.
13. Vinay Kumar Pathak son of Sri Tej Narayan Pathak resident of village- Jhanjharpur, P.O.- Jhanjharpur, District- Madhubani.
14. Shambhuy Prasad son of Sri Mishri Lal Yadav resident of village and P.S.- Ladania, District- Madhubani.
15. Rajeshwar Prasad Singh son of Sri Rasik Lal Yadav resident of village & P.S.- Sisba Barahi, District- Madhubani.
16. Ajoy Kumar Roy son of Sri Ram Chandra Prasad Roy Resident of village-Karuna P.o. - Vishaul, District- Madhubani.
17. Raman Kumar Jha son of Late Yod Nath Jha resident of village- Jhitkiyahi P.S.- Ekahari, District- Madhubani
18. Upendra Prasad Singh son of Late Yugeshwar Singh resident of village- Chatra P.S.- Chatra, District- Madhubani.
19. Sanjay Kumar choudhary son of Sri Ram Prasad Choudhary resident of



village- Chilmiliya P.S.- Damu, District- Madhubani.

20. Shivam Sahu son of Late Sukhdeo Sahu resident of village- and P.S.- Dullipatti, District- Madhubani.

21. Thakur Jitendra Narayan Singh son of Raghunandan Singh resident of village and P.S.- Bangama, District- Madhubani.

22. Nagendra Kumar son of Sri Parmeshwar Prasad Singh resident of village and P.S Khajauli, District- Madhubani.

23. Harideo Mahto son of Sri Asharfi Mahto resident of village and P.S.- Simri, District- Madhubani.

24. Manoj Kumar Choudhary son of Sri Ram Balisht Choudhary, resident of village- Bila Balia, P.S.- Demu, District- Madhubani.

25. Pratyush son of Late Ganga Prasad Srivastava resident of Sri Niketan Hospital Road, P.S.- Madhubani, District- Madhubani.

26. Prafful Kumar Jha son of Late Indradeo Jha resident of village- Mehath, Post Office- Mehath, District- Madhubani.

27. Sudhakar Jha son of Sri Krishna Kant Jha resident of village Post Office- Manpur, District- Madhubani

28. Pankaj Kumar Jah son of Sri Bamdeo Jha resident of village and P.O.- Parsauni, District- Madhubani.

29. Awadesh Kumar Choudhry son of Sri Arjun Choudhary resident of village and Post Office- Borha, Police Station- Benipatti, District- Madhubani.

30. Navin Chandra Choudhary Son of Sri Ramashish Choudhary resident of village and Police Station- Damu, District- Madhubani.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhat Kumar, AC to GA 11

For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

11 12-01-2017 In the condonation application, which is I.A. No.3757 of 2015, where there was a delay of 367 days in moving the appeal, no reasons were indicated therein. The order was passed by the learned Single Judge on 22.10.2013 and the reason for delay of almost one year has been explained in the



supplementary affidavit as part of the process of taking legal opinion and gathering the papers.

A year time for such exercise is too long for any State authorities, if they are vigilant to defend their rights. This Court will not give any indulgence to the State for bureaucratic delay in moving the appeal.

The limitation petition is rejected so is the appeal since the Court is not satisfied with the rational and reasoning offered by way of explanation.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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