

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1551 of 2011

In

Civil Writ Jurisdiction Case No.440 of 2004

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The Bihar State Housing Board, Mangalas Road Through Its Managing Director, Bihar.

... .. Respondent No.2- Appellant/s

Versus

1. Sri Krishna Nagar Vikash Samiti Through Its Secretary Sri Ram Krishna Prasad Son Of Late Thaku Jagdish Prasad R/O- Plot No:- 104, Road No:- 21, Sri Krishna Nagar, P.S. - Buddha Colony, P.O.-g.p.o., District – Patna
Writ petitioner- Respondent.
2. The State Of Bihar Through The Secretary, Urban And Housing Department, Government Of Bihar, Patna

... .. Respondent No.1- Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

9 12-09-2017 Apart from the fact that the defect (s) pointed out by the office has not been rectified even though time is being granted since 30th January, 2012, we find that there is a delay of more than 210 days in filing of this appeal and the same has not been properly explained. The legal heirs of respondent No.1 have not been brought on record even though time was granted on 30th of January, 2012 and thereafter the LPA was dismissed against writ petitioner-respondent No.1 herein on 27.02.2012.

Taking note of all these circumstances and further the fact that the learned Writ Court has only issued a direction that the



representation submitted by the writ petitioner-respondent No.1
has to be considered and decided by a speaking order, we see no
case to make any indulgence into the matter.

Cumulatively, we dismiss the appeal.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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