

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.485 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 3408 of 2013**

=====

1.Prabha Mishra, widow of late Satyadeo Mishra, resident of Village- West Karghinya, Kali Bagh, P.O. and P.S. Bettiah, District- West Champaran.
2. Rajesh Bihari Mishra Son of late Satyadeo Mishra resident of Village- West Karghinya, Kali Bagh, P.O. and P.S. Bettiah, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar
2. The Secretary, Water Resources Department, Government of Bihar, Patna
3. The Chief Engineer (North), Tubewell Department, Minor Irrigation Department, Muzaffarpur
4. The Superintending Engineer, Tube Well Circle, Muzaffarpur
5. The Executive Engineer, Tube Well Division, Bettiah, West Champaran

.... Respondent/s

=====

Appearance :

For the Appellant/s :

For the Respondent/s :

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-07-2017

Having heard learned counsel for the parties, we find that there is an unexplained inordinate delay of more than 325 days in filing of this appeal. The writ petition was decided by the learned Writ Court on 18.02.2015 and in the application for condonation of delay (I.A. No. 2088 of 2016) except for making a bald statement that the writ-petitioner was not well, he had suffered cardiac attack and was under treatment, no particulars of the doctor who treated the writ-petitioner or the documents in support of the same have been filed



with the interlocutory application.

2. Finding the delay of more than 325 days not to be properly explained and further finding the matter to have been considered by the learned Writ Court and decided in accordance with law, we see no reason to make any indulgence into the matter.

3. The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	05.07.2017
Transmission Date	

