

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.512 of 2016

In

Civil Writ Jurisdiction Case No.13886 of 2011

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1. The Commissioner, Patna Municipal Corporation, Maurya Complex, Patna - 800001.
 2. The Estate Officer, Patna Municipal Corporation, Maurya Complex, Patna - 800001.

... .. Appellant/s

Versus

1. Sanjay Singh Son of Sri Gobardhan Prasad Resident of Village - Dayalpur, Post Office - Jhandapur, Police Station - Thana Bihpur, District - Bhagalpur.
2. The State of Bihar represented through Principal Secretary Department of Town Development, Government of Bihar, Patna.
3. Lav Kumar Jaiswal Son of Late Krishna Prasad Jaiswal Resident of Road No. 6A, Rajendra Nagar, Patna - 800016.
4. Kush Kumar Jaiswal Son of Late Krishna Prasad Jaiswal Resident of Road No. 6A, Rajendra Nagar, Patna - 800016.
5. Rajesh Jaiswal Son of Late Krishna Prasad Jaiswal Resident of Road No. 6A, Rajendra Nagar, Patna - 800016.
6. Radhey Shyam Agrawal Son of Late Purshottam Das Agrawal Residing at Flat No. A - 406, Bansal Tower, Bhattacharya Road, Police Station - Gandhi Maidan, District - Patna.
7. Anup Kumar Son of Late Ram Krishna Prasad Residing at Flat No. A - 404, Charminar Apartment, Road No. 12, Police Station Gandhi Maidan, District - Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bindhayachal Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

11 13-12-2017 A delay of 2 years and 6 days is being explained away as routine bureaucratic delay.

There is no special privilege for any organization sans the rule and the law with regard to time fixed for preferring the



appeal. A modest and a reasonable kind of delay is always condonable but no delay of such kind where there is no cogent and valid explanation coming as to what took them so long in preferring the appeal. Obviously, someone in the Corporation was geared up to help the petitioners to beget the benefits of the judgment, that anyway he will beget since the limitation petition is dismissed along with the appeal for obvious extended delay on their part.

The fall out of the decision and the liability, which may be created upon the Corporation, can be recovered from the people, who were responsible in delaying the process in preferring the appeal.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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