

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1412 of 2016
Arising out of
C.W.J.C. No. 5432 of 2016**

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Basant Lal Sah, Son of Domai Sah, Resident of Pipra , P.S.- Jogbani, District Araria.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Sub Divisional Officer, Farbisganj District Araria.
3. The Circle Officer, Farbisganj District Araria.
4. Raghu Rishidev, son of late Bachan Rishidev
5. Dhalo Rishidev, son of late Bachan Rishidev
6. Most. Savitri Devi, Wife of late Sukal Rishidev
7. Lakshman Rishidev, Son of late Khushar Rishidev
8. Buddhu Rishidev, Son of late Khushar Rishidev
9. Ganesh Rishidev, Son of late Khushar Rishidev
10. Most. Kari Devi, Wife of Late Sayush Rishidev
11. Most. Guddi Devi, Wife of Late Sukhi Lal Rishidev
12. Likhni Rishidev, son of Rabbi Mushar
13. Bikram Rishidev, son of Rabbi Mushar
14. Sikam Rishidev, son of Rabbi Mushar, All residents of village - Pipra, Tola Aoukhrah, P.S. Jogbani, District Araria.
15. Pradeep Sah, Son of Late Rameshwar Sah
16. Gopal Sah, Son of Late Bhola Sah
17. Pramod Sah, Son of Late Bhola Sah
18. Kishore Sah, Son of Late Hira Sah
19. Prahlad Sah, Son of Late Hira Sah
20. Madan Sah, Son of Late Bishwanath Sah
21. Mohan Sah, Son of Late Shiv Prasad Sah
22. Madan Kanojia, Son of Late Baijnath Sah
23. Manoj Kumar, Sah Son of Late Raghunandan Sah
24. Santosh Kumar Sah @ Appu Sah, Son of Late Raghunandan Sah
25. Krishna Kumar Sah, Son of Late Raghunandan Sah



26. Likhni Chand Sah, Son of Late Charitra Sah

27. Iswar Chand Sah, Son of Late Charitra Sah, All residents of Pipra, P.S. Jogbani,
District Araria.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Suraj Samdarshi, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 17-05-2017

Seeking exception to an order dated 17.05.2016 passed by the learned Writ Court in C.W.J.C. No. 5432 of 2016 in the matter of rejecting the petition filed by the appellant on account of inordinate unexplained delay of more than 16 years, this appeal has been filed under Clause 10 of the Letters Patent.

There being delay of 8 days in filing of this appeal, I.A. No. 6516 of 2016 has been filed seeking condonation of delay.

The delay in filing of the appeal is condoned. I.A. No. 6516 of 2016 stands allowed and disposed of.

Challenging an order passed by the competent authority under Section 48D of the Bihar Tenancy Act on 02.11.1999 the writ



petition was filed on 17.03.2016 and there being an undue unexplained delay of more than 16 years, the learned Writ Court has dismissed the writ petition holding that the petitioner has not reasonably explained the delay. In doing so, we are of the considered view that the learned Writ Court has not committed any error warranting reconsideration.

The Letters Patent Appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	23.05.2017
Transmission Date	

