

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1388 of 2015

In
Civil Writ Jurisdiction Case No. 13470 of 2013

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1. The State of Bihar.
 2. The Principal Secretary, Health Department and Medical Education, Government of Bihar, Patna.
 3. The Additional Secretary, Health Department and Medical Education, Government of Bihar, Patna.
 4. The Principal, Patna Medical College and Hospital, Patna.

.... Appellants

Versus

Vijay Kumar son of Late Bhawani Prasad Sinha Resident of Mohalla Ashiana Phase - I, Police Station - Rajeev Nagar, District - Patna.

.... Respondent

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Appearance :

For the Appellants : Mr. Mritunjay Kumar, AC to AAG-6

For the Respondent : Mr.

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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)

2 10-01-2017 There seems to be deliberate delay on the part of the State in not taking a decision within a time frame to file the appeal within a reasonable time even if the 30 days limitation for Letters Patent Appeal was overrun.

There is a delay of 341 days. One of the reasons being stated at the Bar is that initially an opinion was rendered not to move in appeal by the office of the Advocate General, but after some time there was another opinion to do so.

Obviously, there is something amiss in the manner in which such decisions are taken at the level of the State or the



office of the Advocate General. These are matters which are required to be sorted out by the State and the Court will not give indulgence in the mess up.

The limitation petition, i.e. I.A. No. 6055 of 2015, is hereby rejected so is the appeal.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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