

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2077 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 2522 of 2015**

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Abhay Kumar Sinha, Son of Raj Kumar Sinha, Resident of village - Bhauar, P.O.
Kashichak, District - Nawada

.... Appellant/s

Versus

1. The State of Bihar
2. The Director, Health Services, Bihar, Patna
3. The Secretary, Bihar Health Services, Patna
4. The Director, T.B. Centre Bihar, Patna
5. The Deputy Director, T.B. (Tuberculosis) Centre, Bihar, Patna
6. The Civil Surgeon, Kaimur at Bhabhua
7. The Civil Surgeon - Cum - Chief, Medical Officer, Rohtas, Sasaram
8. The District Magistrate, Sasaram, Rohtas

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur, Advocate
For the Respondent/s : Mr. Nishant Kumar Jha, A.C. to S.C. 28

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 21-02-2017**

Re.:I.A. No. 9139 of 2015

The application is for condonation of delay of 4 days in
filing the Letters Patent Appeal.



2. For the reasons mentioned in the Interlocutory Application, we are satisfied that the appellant has shown sufficient cause to seek condonation of delay of 4 days in filing the present Letters Patent Appeal.

3. Consequently, Interlocutory Application No. 9139 of 2015 is allowed and delay of 4 days in filing the Letters Patent Appeal is condoned.

Re.: L.P.A. No. 2077 of 2015

Heard learned counsel for the parties.

2. The present Letters Patent Appeal is directed against an order passed by the learned Single Bench of this Court on 16th of February, 2015 in C.W.J.C. No. 2522 of 2015 whereby, the challenge to the order of termination dated 12th of May, 1993 was found to be suffering from delay and laches.

3. The appellant was removed from the post of Statistical Clerk, District Tuberculosis Centre, Rohtas on 12th of May, 1993 but the writ application challenging the said order was filed only in the year 2015. The long lapse of time between the date of order of termination and the invocation of jurisdiction of this Court clearly bars the appellant to challenge the order on account of delay and laches.

4. We do not find any error in the order recorded by the



learned Single Bench which may warrant interference in the present Letters Patent Appeal.

5. The Letters Patent Appeal is, thus, dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	01.03.2017
Transmission Date	

