

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.818 of 2015
IN
Civil Writ Jurisdiction Case No. 3479 of 2015**

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Ganga Prasad Labh, Son of Late Rajendra Labh, Resident of village - Gora Patti,
P.S.- Ashok Paper Mills, District - Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar through the Industrial Development Commissioner, Industries Department of Industries, Govt. of Bihar, Patna.
2. The Director, Department of Industries, Govt. of Bihar, Patna.
3. General Manager, District Industries Centre, Darbhanga.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Karn

For the Respondent/s : Mr. Anil Kumar Sinha, GA-1

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 25-07-2017

Petitioner was dismissed from the service on the basis of a departmental enquiry conducted and finding of guilt recorded in the enquiry proceeding by order dated 29.06.1991. Petitioner did not challenge this order and kept quiet on the ground that he was facing a criminal case. Criminal case has led to his acquittal on 13.03.2004 and thereafter the writ application was filed by the petitioner in the year 2015 i.e. after a period of 11 years and finding there to be inordinate delay the learned Single Judge has dismissed the writ application.

In doing so, we see no error committed by the learned



Writ Court warranting re-consideration.

Merely because against the acquittal order of 13.03.2004 the appeals were filed by the State Government, the petitioner's conduct of delay cannot be condoned.

That being so, we are not inclined to interfere in the impugned order. The appeal is, accordingly, dismissed.

(Rajendra Menon, CJ)

Arvind/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	
CAV DATE	
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