

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1548 of 2015
IN
Civil Writ Jurisdiction Case No. 7379 of 1998**

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Narendra Kumar Son of Late Ram Ekbal Mahto, Resident of Vhoudhariyana Tari
Mohalla- Kharkuan Ara, Police Station- Ara Town, District- Bhojpur

.... Appellant

Versus

1. The State of Bihar
2. Collector, Bhojpur, Ara
3. Circle Officer, Ara

.... Respondents

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Appearance :

For the Appellant : Mr. Om Prakash Upadhyay, Advocate
For the Respondents : Mr. Birju Prasad, GP-13
Mr. Amresh, Advocate
Mr. Ravi Kumar, Advocate
Mr. Ashok Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 13-01-2017

I.A. No. 6994 of 2015, which is a petition for
condonation of delay is allowed in the interest of justice. However,
the Court was not satisfied with the reasoning given therein. Delay of
72 days in filing the appeal is condoned.

If there are statutory remedies available within the
framework of the statute and that leeway has already been given by
the Collector, Bhojpur, in his impugned order, which was subject
matter of challenge before the learned single Judge in C.W.J.C. No.
7379 of 1998, the learned single Judge has committed no wrong by



dismissing the writ application on 30.04.2015 giving leeway to the petitioner and refusing to interfere for the reasons assigned therein. Since none of those reasons are in any manner in derogation of the law, therefore, the appeal is dismissed.

The appellant is free to take advantage of the observations of the learned single Judge as well as the leeway which has been granted by the Collector in his order.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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