

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.811 of 2015**

**In**  
**Civil Writ Jurisdiction Case No. 5739 of 1988**

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1. Smt. Sukni Devi, Wife of Sri Jagarnath Singh, resident of village-Telthua, P.S. Rafiganj, District- Aurangabad.

.... .... Appellant/s

Versus

1. The State of Bihar
2. The Joint Director, Chakbandi, Gaya.
3. The Deputy Director, Chakbandi (State Planning) Gaya,
4. The Consolidation Officer, Rafiganj
5. Shanti Devi, Wife of Ram Chandra Singh, resident of village Barahchita, P.O. Telkupa, P.S. Wazirganj, District- Gaya.
6. Kanti Devi, Wife of Ambika Singh, resident of village Barahchita, P.O. Telkupa, P.S. Wazirganj, District- Gaya.
7. Gyantri Devi, Wife of Rabindra Singh, resident of village- Chaksingar, Tola Karshali, P.O. & P.S. Judanpur, District- Vaishali.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Sanjay Kumar Tiwari

For the Private respondents : Mr S.K.Singh, Sr. Advocate

Mr Praveen Prakash

For the State : Mr Kamlesh Kishore, AC to SC 12

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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)**

7      10-01-2017              I.A. No.3465 of 2015 is a limitation petition for condonation of delay of 350 days. In paragraph 3, the reason for delay is that the appellant is a poor lady and she could not manage the required resources for filing the appeal.

The private respondent no.5 has filed a counter affidavit and rebutted such a stand as totally false and misleading. Details of the family have been provided in paragraph 4. It is a



nucleus family and that the litigation is being carried out by the appellant with due support and assistance of the family. The picture which is sought to be painted on behalf of the appellant for the extraordinary delay is based on falsehood.

The Court is satisfied that it is not a fit case where condonation of delay should be allowed.

I.A. No.3465 of 2015 is dismissed so is the appeal.

**(Ajay Kumar Tripathi, J)**

**(Nilu Agrawal, J)**

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