

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.2124 of 2015  
IN  
Civil Writ Jurisdiction Case No. 3614 of 2007**

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1. Mahesh Lal Mandal S/o Late Inerman Mandal @ Indarman Lal Mandal resident of village - Sapa, P.S. - Mahalgaon, District – Araria (since dead)

1 (i) Rajendra Mandal S/O Late Mahesh Lal Mandal  
(ii) Prakash Mandal S/O Late Mahesh Lal Mandal  
(iii) Kartika Devi D/O Late Mahesh Lal Mandal and W/O Sei Dinesh Mandal

All residents of village- Sopa, P.S. Mahalgaon, District Araria

.... .... Appellant/s

Versus

1. The State of Bihar  
2. The Additional Collector, Araria  
3. Bihar Bhoodan Yajna Committee, Congress Maidan, Kadamkuan, P.S. - Kadamkuan, Patna - 3, through its Chairman.  
4. The Chairman, Bihar Bhoodan Yajna Committee, Congress Maidan, Kadamkuan, P.S. - Kadamkuan, Patna.  
5. The Office Secretary, District Bhoodan Office Rani Patra P.S. & P.O. Ranipatra District Purnea.  
6. The Office Secretary, District Bhoodan Office, Araria, District - Araria.  
7. Rameshwar Mandal  
8. Narayan Mandal  
9. Dukhan Mandal All at Sl. Nos. 7 to 9 are sons of late Indarman Mandal @ Indarman Mandal resident of village - Sapa, P.S. - Mahalgaon, District - Araria.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Dharendra Kumar Jha  
For the Respondent/s : Mr. Md. Naushaduzzoha

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI  
and  
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 22-06-2017

The sole appellant is said to be dead. Substitution petition, which is I.A. No.5337 of 2016, has been filed. The names of the so-called legal heirs are in paragraph 1. Substitution petition is allowed.



Heard counsel for the appellant and perused the limitation petition, which is I.A. No.9286 of 2015. There is delay of one year and 184 days for which ground of illness has been shown. The order was passed by the learned Single Judge on 01.04.2014. Certified copy was also obtained on 10.04.2014 but the appeal was filed only in November 2015.

The Court has gone through the prescriptions and the so-called medical advice. They do not show that it was one of those alarming cases for which the erstwhile appellant could not take steps for filing of appeal.

The Court has even otherwise gone through the impugned order dated 01.04.2014. From reading of which it appears that there is no factual or legal infirmity in the order. The limitation petition, therefore, is dismissed. In consequence thereof, even the appeal stands dismissed.

**(Ajay Kumar Tripathi, J)**

**(Rajeev Ranjan Prasad, J)**

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