

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1117 of 2017

In
Civil Writ Jurisdiction Case No.7568 of 2013

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1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna
 2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
 3. The Joint Secretary to Government of Human Resources Development Department (Now Education Department), Govt. of Bihar, Patna
 4. The Deputy Secretary to Government of Human Resources Development Department (Now Education Department), Govt. of Bihar, Patna.
 5. The Director, Higher Education Department, Government of Bihar, Patna.
 6. The Director Cum Secretary, Maithili Academy, Bihar, Patna.

... .. Respondents-Appellants

Versus

Kamala Kant Jha, Son of Late Murlidhar Jha, Resident of Mohalla- Mithila Colony, Laxmi Sagar, P.S.- L.N.M. University Campus, District-Darbhanga,
At present posted as Chairman, Maithili Academy, Patna

... .. Petitioner-Respondent

Appearance :

For the Appellant/s : Mr. Vinay Kumar Mishra
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

6 26-07-2018

Re:- I.A. No. 5812 of 2017

Heard Mr. Shashi Shekhar Tiwary, learned AC to
AAG-15 on the condonation application filed under Section 5 of
the Limitation Act for condonation of delay of 414 days.

We have perused the statements made in the
interlocutory application and find that the explanation is vague
and nowhere justifies the delay of 414 days. Even otherwise, the
opinion expressed by the learned Single Judge in the judgment



and order impugned, prima facie, does not reflect any infirmity requiring interference.

In the circumstances so taken note of and not being satisfied with the explanation to the excessive delay of 414 days, we are persuaded to reject the interlocutory application. I.A. No. 5812 of 2017 is dismissed and accordingly this Letters Patent Appeal is also dismissed in limine.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

HR/-

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