

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8096 of 2017

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1. Manoranjan Prasad Saha Son of late Panna Lal Shah Resident of Mohalla- Jakanpur, P.S. Jakanpur, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Director, Land Record and Measurement Directorate, Department of Revenue and Land Reforms, Government of Bihar, Patna.
3. The Assistant Director, Land Record and Measurement Directorate, Department of Revenue and Land Reforms, Government of Bihar, Patna.
4. The Deputy Director, Bihar Survey Office, Gulzarbagh, Patna.
5. The Assistant Director, Bihar Survey Office, Gulzarbagh, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary
For the Respondent/s : Mr. S .C. Yadav-Gp15

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-04-2018 The learned counsel for the petitioner submits that the appeal of the petitioner herein, filed against the order of punishment dated 17.01.2012 has been dismissed on the sole ground of delay. It is further submitted that the order of punishment was passed on 17.01.2012 whereas the petitioner had filed an appeal on 05.04.2012, hence there was a minor delay on account of illness of the petitioner herein.

Per contra, the learned counsel for the State has submitted that the appeal has to be filed within a period of 45 days, however the appeal has been filed after a lapse of about 100 days.



Having regard to the facts and circumstance of the case, I deem it fit and appropriate to quash the appellate order dated 18.07.2016 by which the appeal of the petitioner has been rejected on the sole ground of delay. The appellate authority is further directed to consider the appeal of the petitioner on merits and pass a speaking and reasoned order within a period of six weeks from today.

The writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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