

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1417 of 2017

In
Civil Writ Jurisdiction Case No.18177 of 2016

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Manvendra Prasad Gupta son of Late Deep Narain Gupta Resident of Village
- Mow Dhaneshwar Lane No. 1, Madipur, P.S. - Vidyapati Nagar, District -
Samastipur.

... .. Appellant-Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resource Development Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The District Programme Officer, Sitamarhi.
5. The Area Education Officer, Block Dumra, District - Sitamarhi.
6. The Secretary Marbari Middle School, Sitamarhi.
7. The Head Master Marbari Middle School, Sitamarhi.
8. The Accountant General, Bihar, Patna.

... .. Respondents

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Appearance :

For the Appellant/s	:	Mr. Samir Kumar
For the State	:	Mr. Ashutosh Ranjan Pandey -AAG-15
		Mr. Priyadarshi Matri Sharan, AC to AAG-15
For the Accountant General		Mr. Kumar Priyaranjan(SC)
		Mr. Niraj Kumar

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

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

5 07-08-2018

Re:I.A.No. 7518 o 2017

This interlocutory application under Section 5 of the
Limitation Act has been filed for condonation of delay of 235
days in filing the appeal.

We have heard Mr. Samir Kumar, learned counsel for
the appellant, Mr. Priyadarshi Matri Sharan, AC to AAG-15 for



the State and Mr. Kumar Priya Ranjan, counsel for the Accountant General.

Apart from the fact that the explanation given by the appellant-petitioner does not satisfy this Court to condone the delay of 235 days, even otherwise, considering that this appellant-petitioner prays for counting of past service for the purpose of payment of post-retiral benefits even though he does not possess the qualifying service which ended in the year 2000, we are not persuaded on merits as well, to interfere with the opinion of the learned Single Judge.

Consequently, the limitation petition is rejected and resultantly the Letters Patent Appeal is also dismissed in limine.

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

HR/-

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