

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1329 of 2017

In
Civil Writ Jurisdiction Case No.2257 of 2006

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1. The State of Bihar
 2. The Commissioner, Health, Medical, Education and Family Welfare, Government of Bihar, Patna.
 3. The Director, Health Services, Government of Bihar, Patna.
 4. The Civil Surgeon-cum- Chief Medical Officer, Rohtas at Sasaram.

... .. Respondents/Appellants

Versus

Vijay Kumar Shroff, son of Ram Hari Prasad Shroff, resident of P.P Road (Buxar), P.S.- Buxar (Town), District- Buxar.

... .. Petitioner/Respondent

Appearance :

For the Appellant/s : Mr. Gopal Krishna
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)

5 07-08-2018

Re: I.A. No. 7061 of 2017

Heard Mr. Gopal Krishna, AC to GA-7 on behalf of the State who is the appellant before this Court.

This application has been filed under Section 5 of the Limitation Act for condonation of delay of 06 years and 91 days in filing the appeal.

Having considered the submission of the learned counsel for the appellants and having perused the contents of the condonation application, we are not satisfied with the



explanation given by the appellants for condonation of such excessive delay of more than 06 years in filing the appeal. Even accepting that some procedural delay takes place in filing of the State's appeal, no amount of explanation can justify a delay of 06 years and 91 days.

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

(Jyoti Saran, J)

(Chakradhari Sharan Singh, J)

HR/-

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