

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.896 of 2017

In

Civil Writ Jurisdiction Case No.6332 of 1995

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1. Surendra Tiwari @ Surendra Nath Tiwari
 2. Devendra Tiwari @ Devendra Nath Tiwari
 3. Narendra Tiwari @ Narendra Nath Tiwari
 4. Bhupendra Tiwari @ Bhupendra Nath Tiwari All Sons of Indradeo Tiwari Resident of Village- Kharika tola, P.O. & P.S. Guthani, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Member, Board of Revenue ,Bihar, Patna.
3. Collector, Siwan.
4. Deputy Collector Land Reform, Siwan.
5. Badanji Pandey
6. Yogendra Pandey
7. Subhas Pandey
8. Sudama Pandey @ Tuntun
9. Birendra Pandey
10. Jitendra Pandey 5 to 10 are all Sons of Bashistha Narain Pandey
11. Hari Shankar Pandey @ Munna Pandey Son of Hari Narayan Pandey 5 to 11 all are residents of Village- Kharika, P.O. Guthani, P.S. Guthani, Distt- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kamala Kant Tiwary
For the Respondent/s : Mr. Binay Kant Mani Tripathy
Ms. Ajita

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

9 03-05-2018 There seems to be laches all along on behalf of the appellants in preferring the appeal. The appeal was filed on 19.05.2017 with many a defects pointed out by the stamp reporter. One of the defects was non-filing of a limitation petition. The defect, including the non-filing of a limitation



petition, was removed only on 26.04.2018, which is almost one year. Such delay on the part of the appellants or his counsel cannot enure in favour of such litigants. We are not satisfied that a delay of almost two years, which includes one year of delay for removal of defects, is required to be condoned.

I.A. No. 3370 of 2018 is dismissed. As a consequence thereof, the appeal is also dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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