

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11843 of 2015

Prasidh Narain Singh Son of Late Chandradeo Singh, resident of village -
Dharupur, Police Station - Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Rohtas, Post Office and Police Station- Sasaram, District- Rohtas.
2. The Anchal Adhikari, Bikramganj, District - Bikramganj, District - Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Bihari Singh
For the Respondent/s : Mr.S.K. Sharma- Gal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

This writ petition has been filed by the petitioner for
challenging the order dated 23.6.2015 passed in Title Appeal
No. 82 of 2013.

Learned counsel for the petitioner submits that Title
Appeal No. 82 of 2013 was admitted after delay of 22 years
without condoning the delay. The order dated 23.6.2015 read as
follows: "The title appeal is hereby admitted. Subject to the
condition that this condonation petition filed on behalf of the
State (appellant) shall be heard at the time of final
adjudication."

The order admitting the title appeal is without
jurisdiction as an appeal cannot be admitted without condoning



the delay.

In view of the above the order dated 23.6.20158 cannot be sustained. Accordingly, the same is quashed. Matter is remitted back to the Appellate Court to pass fresh order within a maximum period of 45 days from the date of receipt/production of copy of this order.

With the aforesaid the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

T.Kr./-

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