

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.27 of 2021

In

Civil Writ Jurisdiction Case No.10988 of 2013

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Ramadhar Thakur, Son of Shri Deo Nath Thakur, Resident of Village-Bhatulia, P.S. Paroo, District-Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar through The Secretary, Department of Forest and Environment, Old Secretariat, Patna.
2. The Licensing Officer-cum-Divisional Forest Officer, Tirhut Forest Division, Muzaffarpur.
3. The District Forest Officer, Muzaffarpur.
4. The Forest Range Officer, Motipur.
5. The prescribed Authority-cum-Conservator of Forest, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar, Advocate
For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 08-09-2021

Re: I.A. No. 1 of 2021

The instant Interlocutory Application has been filed for condonation of delay of **2 years and 240 days** in filing the present appeal.

Without application of mind, in a stereo type manner, the application has been prepared, bereft of material facts and particulars, explaining each day's delay.

Relevant portions of the application are reproduced as



under:-

“ 4. That it is relevant to mention here that the order impugned passed by Hon’ble Mr. Justice on 05.12.2017 thereafter the learned counsel for the appellant informant the client and at time the appellant was in Delhi for his livelihood.

5. That it is relevant to mention here that when the appellant contacted to the counsel and advised to file L.P.A. before this HO’ble Court thereafter the appellant filed the circuit for certified copy of the order impugned on 24.07.2018 which has been obtained from the same date.

6. That it is relevant to mention here that the appellant has burden of marriage his daughter and the marriage was fixed in April in the years 2018.

7. That it is relevant to mention here that thereafter the financial condition oif the appellant is very poor and when he also contacted to the counsel then the father of the appellant became serious and several moths lying on the cot and there is no active member to look after and lastly the father of the appellant died.

8. That it is relevant to mention here that thereafter the son of the appellant also solemnised the marriage in the years 2020.

9. That it is relevant to mention here that there is circumstances which is mention in petitioner due to that reasons the limitation has been occurred.”

As such, we do not find any reason, sufficient enough to condone the delay, for each day’s delay has not been



explained, much less sufficiently explained by the appellants.
The delay of 2 **year and 240 days** in filing the appeal remains unexplained.

As such, Interlocutory Application No. 1 of 2021 stands dismissed.

Re: L.P.A. No. 27 of 2021

Appellants lay challenge to the impugned judgment dated 05.12.2017 passed by a learned Single Judge of this Court in CWJC No. 10988 of 2013, titled as **Ramadhar Thakur Vs. The State of Bihar & Ors.**

In view of dismissal of the Interlocutory Application No. 1 of 2021, the instant Letters Patent Appeal also stands dismissed.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

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