

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.56 of 2021**

**In**  
**Civil Writ Jurisdiction Case No.15652 of 2018**

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1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
  2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
  3. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
  4. The Director, (Secondary Education), Buddha Marg, Patna.
  5. The Regional Dy. Director of Education, Patna Division, Patna.
  6. The District Education Officer, Patna.
  7. The District Programme Officer (Establishment), Patna.
  8. The General Provident Fund Officer, Patna.
  9. The Treasury Officer, Danapur, Patna.

... .. Appellant/s

Versus

1. Jai Pukar Rai, S/o Late Pradumn Rai R/o Mohalla - Maruti Nagar, H/o Bachchu Rajak, Near Baidyanath Ayurvedic Bhawan, Chiraiya Tand, P.S. - Jakkanpur, District- Patna.
2. The Headmistress, Kasturba Gandhi Balika High School, Khagaul, Patna.
3. The Accountant General, Bihar, Patna.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Shashi Shekhar Tiwary, AC to AAG 10  
For the Respondent/s :

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      09-09-2021

**Re: I.A. No. 1 of 2021**

The instant Interlocutory Application has been filed  
for condonation of delay of 01 year and 161 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 the present memo of appeal has been filed on \_\_\_\_\_ after delay of about \_\_\_\_ days.

5. That it is humbly submitted that after passing the order dated 29.04.2019 the writ petitioner brought the order into the notice of the appellants and thereafter the matter was considered after taking consultation at different level, opinion was taken from law department and thereafter the present appeal has been filed.

6. That due to COVID-19 Pandemic and lockdown time took place in filing the appeal, as such delay has occurred.

7. That after taking decision to file an appeal, the file was handed over to the learned counsel who drafted the memo of appeal and thereafter the appeal was made ready and affidavited on \_\_\_\_\_ .

8. That thus LPA is being filed on \_\_\_\_\_ after delay of about \_\_\_\_\_ days.

9. That thus, it is just and expedient in the interest of justice that the delay in filing the present LPA may be condoned.”

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 01 year and 161 days in filing the appeal remains unexplained.

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

**Re: L.P.A. No. 56 of 2021**

Appellants lay challenge to the impugned judgment dated 29.04.2019 passed by a learned Single Judge of this Court in CWJC No. 15652 of 2018, titled as **Jai Pukar Rai 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)**

Ashwini/Sujit

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