

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.181 of 2019

In
Civil Writ Jurisdiction Case No.8882 of 2013

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1. The State of Bihar through the Principal Secretary, Water Resources Department, Govt. of Bihar, Patna
 2. The Engineer-in-Chief. (Central) Water Resources Department, Govt. of Bihar, Patna
 3. The Deputy Secretary, water Resources Department Govt. of Bihar, Patna

... .. Appellant/s

Versus

Babu Ram Singh Bhuti Singh Village-Rajpur, P.S. Rajpur, Dist.-Rohtas

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar (AC to Aag 4)
For the Respondent/s : Mr. Hans Lal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 04-08-2022 Heard learned counsels for the respective parties.

The appellants-State has preferred appeal to question the validity of the learned Single Judge order dated 21.06.2018 passed in CWJC No. 8882 of 2013. Para 19 reads as under:-

“19. Learned counsel for the State submits that liberty may be granted to the petitioner to proceed against the petitioner afresh.”

In the light of the aforesaid observation made by the learned Single Judge it is not a fit case to file LPA. In all fairness, the competent authority who is empowered to file LPA should have applied his mind before taking a decision to file



LPA. The State Government is a mighty litigant before judicial forum in respect of reducing the litigation. Unnecessarily litigations are being filed even in respect of trivial issue like the present case.

Accordingly, Letters Patent Appeal No. 181 of 2019 stands dismissed with cost of Rs. 10,000/- The cost shall be remitted to Patna High Court Legal Services Committee in the light of latest decision of Hon’ble Apex Court in the case of **Uflex Limited vs. Government of Tamilnadu and Ors.** reported in (2022) 1 SCC 165.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

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