

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.549 of 2021**

**In**  
**Civil Writ Jurisdiction Case No.19921 of 2019**

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1. The State of Bihar through the Additional Chief Secretary, Education Department having his office Vikas Bhawan, P.S. Sachivalaya, District Patan.
  2. The Director State Council of Education Research and Training having his office at Mahendru, P.S. Sultanganj, District Patna.
  3. Sri Vinod Kumar Singh father name not known to the petitioner, The Director, State Council of Education, Research and Training having his office at Mahendru, P.S. Sultanganj, District- Patna.
  4. Sri Santosh Mishra Father name not known to the petitioner, The Establishment Clerk, State Council of Education, Research and Training having his office at Mahendru, P.S. Sultanganj, District Patna.
  5. The Joint Director Cum Drawing and Disbursing Officer having his office at State Council of Education, Research and Training, having his office at Mahendru, P.S. Sultanganj, District Patna.
  6. The Accountant General (A and E), Bihar, Patna having his office at Birchand Patel path, P.S. Kotwali, District Patna.
  7. The Treasury Officer, Gulzarbagh, Patnacity, P.S. Sultanganj, District- Patan.

... .. Appellant/s

Versus

Satya Narayan Thakur S/o Late Tunay Thakur Resident of Chunapur Road, Durga Asthan, Mirza Hata, Ward No. 5, P.S. Madhubani, T.O.P. District Purnea.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Ms. Abhanjali (A.C. To G.A.12)  
Mr. R.V.P. Singh, Advocate

For the Respondent/s :

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE S. KUMAR**

**ORAL JUDGMENT**

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

**Date : 05-04-2022**

**Re: I.A. No. 02 of 2021**

The instant Interlocutory Application has been filed



by the appellants for condoning the delay in filing the appeal.

In our considered view, in filing the present appeal, delay of 621 days remains unexplained, more so each day's delay.

The impugned order was passed on 02.12.2019 whereas the appeal was preferred only on 13<sup>th</sup> of September, 2021.

In the application seeking condonation of delay, it is averred that the file kept on moving from one table to another, but, however, it is nowhere explained that any one of the persons dealing with the file had dealt with the same with reasonable dispatch. The opinion to prefer an appeal or not was taken by the Director only on 22<sup>nd</sup> of February, 2021. Despite the said decision, no appeal was preferred.

As such, we are not inclined to condone the delay in filing the appeal.

Interlocutory Application stands dismissed.

**Re: LPA No. 549 of 2021**

Appellants lay challenge to the impugned order dated 2<sup>nd</sup> of December, 2019, passed by a learned Single Judge of this Court in CWJC No. 19921 of 2019, titled as Satya Narayan Thakur Vs. The State of Bihar & Ors.



In view of dismissal of the Interlocutory Application No. 02 of 2021, the instant Letters Patent Appeal also stands dismissed, clarifying that the impugned order, subject matter of the present appeal, shall not be treated as a binding precedent.

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

**(Sanjay Karol, CJ)**

**(S. Kumar, J)**

Amrendra/PKP

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