

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.127 of 2021

In
Civil Writ Jurisdiction Case No.14736 of 2014

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1. The State Of Bihar through the Principal Secretary, Industries Department, Government of Bihar, New Secretariat, Patna.
 2. The Director, Industries Department, Government of Bihar, Patna.
 3. The Deputy Development Officer, Upendra Maharathi Shilp Anusandhan Sansthan, Patna - 800013.

... .. Appellant/s

Versus

Shree Krishna Roy son of Late Navi Ray resident of Village Post - Alampur
via Sindhiya Ghat, Police Station - Bibhutipur, District- Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Behari Singh, GA 8 Mr. Suryakant Kumar, AC to GA 8
For the Respondent/s	:	Mr. Suraj Narain Yadav, Adv.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

4 01-08-2024 Heard I.A. No. 1 of 2022.

2. There is delay of about 1 year 3 months and 3 days
in filing the present LPA.

3. Reasons assigned by the appellant for condonation
of delay are at paragraphs 4 to 9 and it reads as under :

“4. That most humbly and respectfully the appellants submit that although they sincerely pursued with the matter but the time limit of thirty days for filing the Appeal lapsed and the appeal could not be filed before this Hon’ble Court, within time hence, by



filing the present application the appellants seek of explain the delay in filing of the appeal.

5. That the appellants state that the impugned judgment was passed on 17.09.2019 and the writ petitioner under his representation dated 14th October, 2019 informed the appellants about the aforesaid order when he filed his representation.

6. That the order of this Hon'ble Court was also received from the registry under Memo Number 25044 dated 14th October, 2019 received in the Department on 31st October 2019 and from these two modes, the appellants could come to know about the impugned judgement passed by the Hon'ble Writ Court.

7. That it is stated that upon receipt of the representation/judgement, the matter was analyzed by the concerned section and necessary notes were prepared giving brief history of the case as also supporting materials as mentioned in the impugned judgement were complied with.

8. That thereafter the matter was referred to the departmental advocate for obtaining an opinion on the issue of filing an appeal.

9. That thereafter on 22nd November, 2019 an opinion was received for filing the letters patent appeal and immediately thereafter th same was sent to the Law Department on 3rd of December 2019 for necessary action."

4. In identical matter in L.P.A. No. 51 of 2021, we



have elaborately considered and rejected the I.A. for condonation of delay while making further observation and copy has been marked to the Chief Secretary, Government of Bihar.

5. In view of these facts and circumstances, the present I.A. No. 1 of 2022 stands dismissed. Resultantly, LPA No. 127 of 2021 stands dismissed. Pending I.As., if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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