

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.130 of 2021

In
Civil Writ Jurisdiction Case No.14634 of 2014

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1. THE BIHAR STATE ROAD TRANSPORT CORPORATION through its Administrator, Parivahan Bhawan, Veer Chand Patel Path, Patna
 2. The Administrator, Bihar State Road Transport Corporation through its Administrator, Parivahan Bhawan, Veer Chand Patel Path, Patna

... .. Appellant/s

Versus

1. Mithilesh Kumar Singh Son of Late Bindeshwari Prasad Singh resident of village- Jhapania, Post Office- Bounsi, District- Banka (Bihar)
2. The State of Bihar Bihar
3. The Chief of Administrator, Bihar State Road Transport Corporation through its Administrator, Parivahan Bhawan, Veer Chand Patel Path, Patna
4. The Divisional Manager, Bihar State Road Transport Corporation through its Administrator, Parivahan Bhawan, Veer Chand Patel Path, Patna
5. The Chief Accounts Officer, Bihar State Road Transport Corporation through its Administrator, Parivahan Bhawan, Veer Chand Patel Path, Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dr. Anand Kumar, Adv.
For the Respondent/s : Mr.

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

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

3 11-07-2024 There is a delay of about 1 year and 106 days in filing

LPA No. 130 of 2021. Reasons assigned are in para-1 of I.A.

No. 01 of 2021 and it reads as under:-

*1. That the appellants are filing
this application to condone the delay in filing the
aforementioned Letters Patent Appeal against the
judgment and order dated 27.08.2019 in C.W.J.C.
No.-14634/2014. The Letters Patent Appeal in*



accordance with the Law of Limitation should have been presented before this Hon'ble Court on 10.10.2019, because the order dated 27.08.2019 passed in C.W.J.C. No.-14634/2014 has been uploaded on 10.09.2019 and certified copy could not be obtained due to Durga puja vacation. Immediate after opening the Court after the vacation the file was send to the legal advisor/ retainer of the Corporation for his legal opinion. Thereupon the file returned back to the Department with an opinion to file and L.P.A. against the order dated 27.08.2019 passed by the Single Judge. Thereafter, the file was sent to the Counsel of the Corporation for drafting L.P.A., but due to his long sickness, it could not drafted and simultaneously just after Holi vacation lockdown commenced due to Corona Covid-19. However, after drafting of this Appeal by the Counsel of Department now it is being filed after delay of 455 days.

2. Reasons are not supported by dates and events.

Very vaguely reasons have been stated to the extent that there was Durga Puja vacation. Thereafter certain correspondence with the officials and further Holi vacation and lockdown commenced due to Corona Covid-19.

3. It is to be noted that Covid-19 was in the month of March, 2020. For bereft of material for condonation of delay of about 1 year and 106 days appellants have not made out a case. Accordingly, I.A. No. 01 of 2021 stands dismissed.



Consequently, LPA No. 130 of 2021stands dismissed.

4. Pending I.A.'s, if any, stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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