

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.290 of 2019

In
Civil Writ Jurisdiction Case No.7994 of 2014

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1. Keshaw Prasad Singh S/o Late Makeswar Prasad Singh Resident of Narpatganj, P.o.- Narpatganj, Distt.-Araria
 2. Bhupendra Narayan Mallick S/o Late Pratap Narayan Mallick Resident of Fauzi Colony, P.o.- Forbesganj, P.s.- Forbesganj, Distt.-Araria
 3. Mr. Kamrul Hoda S/o Late Tajedin Ahmad Resident of Vill. and Po.- Pack Tola, P.s. and Distt.- Araria

... .. Appellant/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna
2. The Divisional Commissioner Purnia
3. The District Officer Araria
4. Bijay Kumar Rai Das S/o Late Bishnukant Lal Das Vill. and P.o.- Narpatganj, Distt.- Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun Kumar Mandal, Adv.
For the Respondent/s : Mr.Prabhat Kumar Verma, APP

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

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

4 18-07-2024 The present LPA is filed in assailing the order of the learned single Judge dated 16.09.2016 passed in CWJC No. 7994 of 2014. There is delay of about 2 years and 112 days. In this regard I.A. No. 01 of 2019 has been filed to condone the delay.

Prima facie, sufficient cause has not been shown to condone the enormous delay of 2 years and 112 days.



Be that as it may, in identical matter in LPA No. 2002 of 2016 which is arising out of CWJC No. 7994 of 2014 and connected matter, appellants are parties to the aforementioned CWJC. If the relief is not granted to the appellant, it would amount to discrimination. Therefore, we are compelled to condone the delay of 2 years and 112 days. Accordingly, I.A. No. 1 of 2019 stands allowed.

Respective counsels have apprised this Court that to that extent the present LPA is squarely covered by the decision in LPA No. 2002 of 2016. Accordingly, present LPA stands allowed in light of the order dated 26.02.2018 passed in LPA No. 2002 of 2016.

Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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