

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.188 of 2021
In
Civil Writ Jurisdiction Case No.1714 of 2015

1. The State of Bihar Bihar.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Nalanda.
4. The Additional Collector, Nalanda.
5. The District Land Acquisition Officer, Nalanda.

... .. Appellant/s

Versus

Balmukund Prasad son of Late Bhagwat Prasad, resident of Village-Sahbajpur, P.S. Asthawan, District-Nalanda.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Deepak Sahay Jamuar, AC to AAG 4
For the Respondent/s : Mr. Manoj Kumar Manoj, Advocate

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

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

4 23-08-2024

Re: I.A. No. 2 of 2021

Heard I.A. No. 2 of 2021.

2. There is delay of about 2 years and 243 days in filing the present LPA. In paragraph Nos. 4 to 8 of the I.A. No. 2 of 2021, it is stated as under:

“4. That it is pertinent to mention here that the delay in filing appeal was not intentional rather it occurred due to the circumstances as referred above, which



deserves to be condoned and excused.

5. That it may not be out of place to mention here that the appellant is Govt. Official and taking any decision for filing appeal on behalf of the State they require permission of the higher authority and some extra time bound to cause in this process.

6. That in view of the facts and stated here in above this Interlocutory petition deserves to be allowed and delay caused in filing appeal be condoned.

7. That the Learned Advocate General, has endorsed the file to the office of AAG-4 on 9.7.2020.

8. That for the ends of justice the delay in filing the LPA may kindly be condoned and LPA may kindly be heard on merit.”

3. For condonation of delay of about 2 years and 243 days, not even iota of dates and events have been appraised so as to condone the enormous delay of about 2 years and 243 days. Repeatedly we are deprecating such filing of interlocutory applications for condonation of delay on behalf of the State – appellant. Despite such observations in earlier LPA No. 712 of 2019 and LPA No. 395 of 2019, they have not rectified. Accordingly, I.A. No. 2 of 2021, for condonation of delay in filing the present LPA No. 188 of 2021, stands rejected.



Resultantly, LPA No. 188 of 2021 stands dismissed.

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

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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