

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.395 of 2019

In
Civil Writ Jurisdiction Case No.13975 of 2013

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Mithilesh Kumar Singh Son of Late Pashupati Singh Resident of Village -
Pachkhanda, Police Station - Mashrakh, District - Saran at Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Minor Irrigation Water Resources Department,
Govt. of Bihar, Patna
3. The Chief Engineer North, Tubewell Wing, Minor Irrigation Water
Resources Department, Muzaffarpur.
4. The Project Coordinator, Minor Irrigation Water Resources Department,
Tubewell Wing, Government of Bihar, Patna.
5. The Executive Engineer, Tubewell Division, Chapra.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Niranjan Kumar, Advocate
For the Respondent/s : Mr. Manoj Kumar Sinha, AC to GA 9

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

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

6 20-08-2024

Re: I.A. No. 1 of 2024

Heard I.A. No. 1 of 2024.

2. There is delay of about 2 years and 255 days in filing the present LPA. Reasons have not been shown so as to condone the enormous delay of about 2 years and 255 days. It is necessary to reproduce paragraph Nos. 3, 4 and 5 of the I.A. No. 1 of 2024.

“3. That the aforesaid order was passed on



1.07.2016 by the Hon'ble Single Judge, however, the aforesaid development was not communicated by the conducting lawyer of the said writ petition and when he enquired about his case in the month of February, 2019, it has been informed by the different lawyers that the aforesaid case has already been disposed of on 1.07.2016 whereby and whereunder only recovery part has been stayed although fixation of pay scale of the petitioner, the Hon'ble Single Judge was not inclined to interfere with the same, thereafter, being aggrieved from that party of the order, he approached the learned advocate and filed the same.

4. That it is humbly stated and submitted that the unpleasure incident was also happened in the family member of the appellant and due to which he was facing hardship towards his life. It is also pertinent to point out that the amount of hardship, which could not be expressed in fact it was the matter of feelings.

5. That the delay occurred in filing of the appeal was not deliberate and intentional as the delay in filing of the appeal was only because of unwanted situations.”

3. Paragraph Nos. 3 and 4 are bereft of material information with a specific instance and very vaguely stated to condone the delay of about 2 years and 255 days. Accordingly, I.A. 1 of 2024 stands dismissed. Resultantly, LPA No. 395 of



2019 stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

GAURAV S./-

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