

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.644 of 2019

In

Civil Writ Jurisdiction Case No.4574 of 2006

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Sushil Kumar, Force No. 903053882 S/o Shri Rajeshwari Prasad Singh R/o
Village-Pyarepur, P.S.-Sarmera, District-Nalanda

... .. Appellant/s

Versus

1. The Union of India through the Secretary, Government of India, Ministry of Home Affairs, Lok Nayak Bhawan, Khan Market, New Delhi
2. The Director General Central Reserve Police Force, Central Government, Office Complex, Block No. 1, Lodi Road, New Delhi
3. The Dy. Inspector General (COMNS) Directorate General CRPF, C.G.O. Complex, Lodi Road, New Delhi-110003
4. Director General C.R.P.F. C.G.O. Complex, Lodi Road, New Delhi-110003
5. The Commandant 3 Signal BN, C.R.P.F., Salt Lake, Kolkata (W.B.)
6. The Commandant 23 BN, Central Reserve Police Force, At T.T.A.A.D.C. Complex, Khumlung, Distt-Ziraniya, West Tripura

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar, Advocate

For the Respondent/s : Mr. Raj Kamal, CGC

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL JUDGMENT

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

Date : 30-01-2024

Heard I.A. No.02 of 2024 for limitation.

2. There is delay of 05 years 2 months and 26



days in preferring the present L.P.A. against judgment and order dated 20.02.2024 passed in C.W.J.C. No.4574 of 2006.

3. Earlier, an application for condonation of delay was filed and it was bereft of reasons and it was rejected reserving liberty to Appellant to file better interlocutory application while assigning reasons. In the result, I.A. No.2 of 2024 was filed on 18.01.2024, reasons for enormous delay of 05 years 02 months and 26 days has been narrated at paragraph nos. 5 to 9 of the application.

4. Reading of the aforementioned paragraphs, it is only narrating story relating to death of Appellant's father and it was in the year 2014 and his wife was suffering from various illness during the year 2007 to this day. We do have sympathy in respect of reasons of the fact that Appellant's father died and his wife is suffering from certain illness that does not mean that Appellant cannot approach counsel in order to file L.P.A. within a reasonable period of time or even if there is some delay and not delay of 05 years, 2 months and 26 days.

5. Therefore, enormous delay of 05 years 02 months and 26 days cannot be condoned, in the light of the fact that sufficient cause has not been shown to condone the aforementioned period and to entertain L.P.A.



6. Accordingly, I.A. No. 02 of 2024 stands dismissed and L.P.A. No. 644 of 2019 also dismissed.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

S.Katyayan/-

AFR/NAFR	NAFR
CAV DATE	NA
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