

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1218 of 2018

In
Civil Writ Jurisdiction Case No.5402 of 2007

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The Bihar State Financial Corporation and Ors

... .. Appellant/s

Versus

Tara Shankar Mishra

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Raju Giri
For the Respondent/s : Mr.

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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)

4 25-07-2024 The present LPA No. 1218 of 2018 has been filed belatedly for about 2 years and 297 days. In this regard, I.A. No. 01 of 2022 has been filed to condone the delay.

Ref: I.A. No. 01 of 2022

2. Heard I.A. No. 01 of 2022. The reasons assigned for condonation of delay of 2 years and 297 days is as follows:

2. That it is stated that in the months of October, 2015 decision was taken by the Bihar State Financial Corporation preferred Letters Patent Appeal against the judgment and order dated 30.09.2015 passed in CWJC No. 5402 of 2007. However, the entire file was misplaced and in the month of June, 2018 the file was traced. After that verbally it was discussed by the Advocate to file Appeal against the impugned judgment and order. Thereafter appeal was prepared in the month of August, 2018 and on



24.08.2018 the present Letters Patent Appeal was filed. There is delay of 3 years 11 months in filing the Letters Patent Appeal.

3. Sufficient cause has not been shown to condone the delay. If the file is misplaced. in that event, the Appellant cannot avail time for about 2 years and 297 days. File could have been rebuild within a month or two from the other side or obtaining certified copy from the Registry. Therefore, the reasons assigned in para 2 for condonation of delay is not satisfied by us. Accordingly, I.A. No. 01 of 2022 for condonation of delay of about 2 years and 297 days stands rejected. Resultantly, LPA stands dismissed.

4. Pending I.A.(s), if any, stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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