

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1188 of 2019

In
Civil Writ Jurisdiction Case No.2377 of 2006

-
1. The State of Bihar through Finance Commissioner, Government of Bihar, Old Secretariat, Patna.
 2. The Agriculture Production Commissioner, Government of Bihar, New Secretariat, Patna.

... .. Appellants.

Versus

1. Ramjanam Prasad, S/o late Badri Prasad, Village- Dharhara, P.O. Pali Ganj, P.S. Paliganj, District- Patna presently working as Assistant, Planning Cell, Rajendra Agricultural University, Bihar, B.V. College Campus, Patna, P.S. Gardanibagh, District- Patna.
2. Rajendra Agricultural University, Bihar, Pusa (Samastipur) through its Registrar.
3. Comptroller, Rajendra Agricultural University, Bihar Pusa (Samastipur).
4. Director, Planning, Rajendra Agricultural University, Bihar, B.V. College Campus, Patna- 14.

... .. Respondents.

Appearance :

For the Appellants : Mr. Ravi Kumar (AC to AAG-13).
For the Respondents : Mr.

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

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

4 19-09-2024

I.A. No.1 of 2019:

Heard I.A. No.1 of 2019 for condonation of delay in
filing the present L.P.A. No.1188 of 2019.

2. There is delay of about 1 year and 181 days in
filing the present L.P.A. No.1188 of 2019.

3. Cause of action accrued to the appellants-State in



the month of March, 2018 pursuant to the order of the learned Single Judge dated 13.02.2018 passed in C.W.J.C. No.2377 of 2006. Cause has been shown very vaguely. Paragraphs-3 to 7 of I.A. No.1 of 2019 reads as under:

- “3. That after the order was passed and came to be received in the Department the same was duly examined after getting the necessary information from the University.
4. That after due examination of the judgment it was considered necessary to seek opinion of the Law Deptt. regarding filing of LPA and, from thereon, further to the office of the learned Advocate General.
5. That in the light of opinion of the learned Advocate General, Bihar the statement of facts has been prepared for filing LPA.
6. That on 14/05/2019, the opinion regarding filing of LPA was recorded in the file.
7. That there was summer vacation from 18/05/2019 to 16/06/2019 in the Hon’ble High Court and after reopening of the Court the concerned file has been made available to the office of learned Advocate General for needful.”

4. There is no cause shown from March, 2018 to 14.05.2019, the date on which opinion regarding filing of present L.P.A. No.1188 of 2019 was recorded in the file. In the



absence of sufficient cause shown to condone the enormous delay of about 1 year and 181 days, the appellants-State have not made out a case so as to condone the enormous delay of about 1 year and 181 days in filing the present L.P.A. No.1188 of 2019.

5. Accordingly, I.A. No.1 of 2019 stands dismissed. Resultantly, the present L.P.A. No.1188 of 2019 stands dismissed. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

P.S./-

U			
---	--	--	--

