

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.50 of 2024
In
Civil Writ Jurisdiction Case No.1514 of 2008

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
2. The Director in Chief, Health Services, Government of Bihar, Patna.
3. The Civil Surgeon cum Chief Medical Officer, Muzaffarpur.
4. The Principal, Health and Family Welfare Training Centre, Muzaffarpur.
5. The Incharge Medical Officer, Primary Health Centre, Kanti, Muzaffarpur.

... .. Appellant/s

Versus

Muktinath Prasad Son of Late Ram Swaroop Ray Resident of Village Kathariya, Police Station- Kalyanpur, District- East Champaran.

... .. Respondent/s

Appearance :

For the State/Appellant/s:	Mr. A.K. Verma, Advocate Mr. Dinesh Maharaj, AC to AAG 9
For the Respondent/s :	Mr. Shiv Kumar, Advocate Mr. Sahja Nand Sharma, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 10-09-2025 Learned counsel for the State *Mr. A.K. Verma* is appearing without file. There is delay of about 14 years and 70 days in filing the present LPA No. 50 of 2024 in assailing the order of the learned Single Judge dated 06.10.2009 passed in CWJC No. 1514 of 2008.

2. The appellants / State had cause of action on 05.11.2009. Between 05.11.2009 to 18.01.2024, sufficient cause is required to be shown so as to condone enormous delay in filing the present LPA. No dates and events have been assigned



in the application except referring to certain judgments of various Courts including this Court.

3. For condonation of delay of about more than one decade, merely quoting certain judgments would not suffice so as to condone the delay. Accordingly, the I.A. No. 1 of 2024 filed for condonation of delay of about 14 years and 70 days stands dismissed with cost of Rs.1 lakh. Cost shall be remitted in the Lawyers' Association Welfare Benevolent Fund, Indian Bank, Branch – LNMI, Bailey Road, Patna, IFSC No. IDIB000L501 having Bank Account No. 7801893276.

4. Cost of Rs. 1 lakh has been imposed in the light of the Hon'ble Supreme Court decision in the case of *State of Madhya Pradesh vs. Ramkumar Choudhary* decided in SLP (C) Diary No. 48636 of 2024 wherein it was a State litigation. Certain delay has been taken note of and it was deprecated by the Hon'ble Supreme Court. Resultantly, LPA No. 50 of 2024 stands dismissed.

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

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

GAURAV S./-

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