

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.94 of 2022

In
Civil Writ Jurisdiction Case No.16939 of 2018

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1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
 2. The Director, Primary Education, Government of Bihar, Patna.
 3. The District Education Officer, Samastipur.
 4. The District Programme Officer, Samastipur.
 5. The Block Education Officer, Sarairanjan, District- Samastipur.
 6. The Block Education Extension Officer, Sarairanjan, District- Samastipur.

... .. Appellant/s

Versus

Vinod Kumar Son of Late Ayodhya Prasad Resident of Village- Udhapatti,
P.S.- Mushri Dharari, District- Samastipur, posted as the Assistant Block
Teacher at Middle School, Sarairanjan.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Binita Singh (SC 28) Mr. Vivek Anand Amritesh (A.C. To S.C. 28)
For the Respondent/s	:	Mr. Binit Kumar, Adv. Mr. Utkarsh Bhushan, Adv.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

12 09-07-2025

Heard IA 01 of 2022.

2. There is delay of about 928 days in
filing L.P.A. No. 94 of 2022. Cause of action
accrued to the Appellant - State is on
10.08.2019, with reference to order of the



Learned Single Judge dated 11.07.2019, passed in C.W.J.C. No. 16939 of 2018. The appellants were required to apprise this court reasoning/explanation as to why there is delay in filing L.P.A. for the period from 10.08.2019 to 28.03.2020. The remaining period from 20.02.2020 to till filing of LPA on 26.02.2022 could be considered as COVID-19 period, In the light of Hon'ble Supreme Court decision in the case of **Cognizance For Extension of Limitation, In RE Suo Motu Writ Petition (C) No. 03 of 2020**, order dated March 23, 2020, reported in **(2020) 19 SCC 10**.

3. Perusal of pleadings in the application, in particularly para 03 to 08, not even dates and events, how the file moments in respect of filing L.P.A. during the period from 10.08.2019 to 19.03.2020. Therefore, the appellants have not made out any case, so as to condone the delay during the period from 10.08.2019 to 19.03.2020.



4. Accordingly, I.A. No. 01 of 2022 stands rejected.

5. Consequently, instant L.P.A. No. 94 of 2022 stands dismissed.

6. Pending IA(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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