

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.389 of 2019
In
Civil Writ Jurisdiction Case No.2995 of 2014

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Nutan Kumari Wife of Sri Satya Prakash Kumar R/o Village-Birampur, P.S.-
Harnaut, Dist-Nalanda

... .. Appellant/s

Versus

1. The State of Bihar through the Divisional Commissioner, Patna
2. The District Magistrate Nalanda
3. The Child Development Project Officer, Harnaut Nalanda
4. Meena Devi Wife of Late Chandra Bhushan Singh R/o Village-Birampur,
P.S.-Harnaut, District-Nalanda

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Naresh Chandra Verma, Advocate
For the Respondent/s	:	Mr.Prince Kumar Mishra, Advocate
		Mr.Vikas Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

6 04-02-2025

Re:I.A. No. 01 of 2024

Heard I.A. No. 01 of 2024 filed in LPA No. 389 of
2019. The reasons assigned for condonation of delay for about 2
years and 112 days are stated as under:-

*“2. That the Learned Counsel
for the Appellant Sri Mritunjay Prasad
Singh was suffering from serious disease
since 2015 and ultimately passed away on
03.08.2017 and therefore he could not
appear when the case was called out.
None informed the Appellant and
therefore no one appeared on 19.10.2016
when the case was called out but the case
was dismissed on merit by impugned*



order dated 19.10.2016.

3. That there is not willful latches on the part of the Appellant rather it happened due to circumstances as stated above and in bonafide belief.

4. That the Appellant has a good case on merit and there is every chance of her success in this appeal.”

2. The aforementioned reasons does not constitute sufficient reasons to condone the delay of about 2 years and 112 days insofar as assailing the order of the learned Single Judge dated 19.10.2016 passed in CWJC No. 2995 of 2014. That apart the present LPA was filed in the year 2019, whereas delay application was filed in the year 2024. Even on this count, appellant has not made out a case so as to condone the delay. Accordingly, I.A. No. 01 of 2024 stands dismissed.

3. Resultantly, the present LPA No. 389 of 2019 stands dismissed.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

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