

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.451 of 2021

In
Civil Writ Jurisdiction Case No.11603 of 2013

-
-
1. The State of Bihar through the Principal Secretary, Department of Home, Bihar, Patna.
 2. The Commissioner, Saran.
 3. The District Magistrate, Saran.
 4. The Superintendent of Police, Saran.
 5. The Block Education Officer, Saran.

... .. Appellant/s

Versus

1. Raj Kishore Paswan son of Prabhu Paswan Resident of village - Chhirouli, P.S. - Khaira, Dist- Saran.
2. The Secretary, Gram Panchayat Raj, Shitalpur Block - Manjhi, Dist- Saran.
3. The Mukhiya, Gram Panchayat Raj, Shitalpur Block Dist- Saran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar Ghosarvey (A.C. To A.A.G.3)
For the Respondent/s	:	Mr.S.K.Jha, Advocate
		Mr.Awadhesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE JUSTICE SMT. G. ANUPAMA
CHAKRAVARTHY

ORAL ORDER

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

3 31-01-2025

Re: I.A. No. 2 of 2021

The appellants have assailed the order of learned Single Judge dated 22.09.2016 passed in CWJC No. 11603 of 2013. There is a delay of about 1391 days. I.A. No. 2 of 2021 has been presented. Perusal of the pleadings in the I.A. for condonation of delay, as usual the file movement has been explained from one department to another department or one



section to another section or one table to another table, for such reasoning, enormous delay of 1391 days cannot be condoned.

2. It is to be noted that the present LPA is filed by State, who is the biggest litigant and bureaucrats and respective State counsels were well aware that the LPA is required to be filed within a period of 30 days from the date of learned Single Judge order. Repeatedly, we are passing orders to have a single window system for the purpose of filing litigations to avoid delays. The same has not been taken note of and no action has been taken against such of those persons who are responsible for causing undue delay in filing litigation. Recently, Hon'ble Supreme Court decisions in the case of **State of Madhya Pradesh vs. Ramkumar Choudhary** decided in [SLP (C) **Diary No. 48636 of 2024**] on November 29, 2024 read with **H. Guruswamy & Ors. vs. A. Krishnaiah** reported in **2025 SCC OnLine SC 54** elaborately considered in respect of filing belated litigation by the State/individuals and it has been deprecated. In fact, in later decision, the Hon'ble Supreme Court has made an observation that explanation is required to be furnished from the date of impugned judgment.

3. Taking note of these facts and circumstances and the principle laid down in the aforementioned decisions, the



appellants have not made out a case so as to entertain I.A. No. 02 of 2021 for condonation of delay of about 1391 days.

4. Accordingly, it is rejected with a cost of Rs. 50,000/- (Rupees Fifty Thousand Only). Cost shall be remitted in the Patna High Court Legal Services Committee within a period of 10 weeks from the date of receipt of this order.

5. Consequently, LPA No. 451 of 2021 stands dismissed. Pending Interlocutory Application(s), if any, stands dispose of.

(P. B. Bajanthri, J)

(G. Anupama Chakravarthy, J)

abhishekk/-

U			
---	--	--	--

