

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.306 of 2022

In
Civil Writ Jurisdiction Case No.18094 of 2018

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Sweta Kumari

... .. Appellant/s

Versus

The State of Bihar & Ors.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Siyaram Shahi

For the Respondent/s : Mr.Gyan Prakash Ojha (Ga 7)

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

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

7 13-05-2025

Re:I.A. No. 01 of 2022

Heard I.A. No. 01 of 2022, for the condonation of delay of about 3 years, 3 months & 25 days. Even though sufficient cause has not been shown for the period from 29.01.2019 till 19.03.2020, and thereafter COVID-19 period could be taken into consideration. However, identical persons have invoked remedy before LPA Bench in LPA No. 770 of 2019 which was disposed of on 20.12.2019 while setting aside the order of learned Single Judge dated 29.01.2019 passed in CWJC No. 18094 of 2018. Appellant was one of the petitioner and her name appears at Serial No. 16 in the CWJC No. 18094 of 2018. She could not approach in filing LPA against the order



of learned Single Judge. On the other hand, remaining some of the petitioners have approached this Court in filing LPA No. 770 of 2019 in which learned Single Judge order has been set aside. Consequential benefits have been extended to such of those who are appellants. Taking note of the aforementioned decision appellant has preferred the present LPA, therefore, delay of about 3 year, 3 months & 25 days stands condoned. Accordingly, I.A. No. 01 of 2022 stands allowed.

2. Heard on merits of the case. Perusal of the records, it is evident that matter is squarely covered by Co-ordinate Bench decision dated 20.12.2019 passed in LPA No. 770 of 2019. Now, question is relating to reinstatement and grant of monetary benefits. Having slept over the matter for about 3 years, 3 months and 25 days, appellant is entitled to have the benefit of monetary benefits from the date of filing LPA till reinstatement. In respect of other service benefits shall be extended on par with *Arti Kumar* and ten others (LPA No. 770 of 2019).

3. The concerned authority is hereby directed to reinstate appellant within in a period of one month from the date of receipt of this order. Arrears from the date of filing LPA till reinstatement shall be calculated and disbursed in favour of the



appellant within a period of three months from the date of receipt of this order.

4. With the above observation, order of the learned Single Judge dated 29.01.2019 passed in CWJC No. 18094 of 2018 stand set aside insofar as appellant is concerned.

5. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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