

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.47 of 2021

In
Civil Writ Jurisdiction Case No.23483 of 2018

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1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
 2. The District Compassionate Committee, Gaya through the Collector, Gaya
 3. District Magistrate Cum District Collector, Gaya
 4. District Education Officer, Gaya
 5. District Programme Officer, (Establishment), Gaya
 6. District Education Superintendent, Gaya.
 7. Block Education Officer, Manpur, District, Gaya
 8. Deputy Director, Regional Education, Magadh Division, Gaya

... .. Appellant/s

Versus

1. Hari Shankar Kumar Singh @ Harishankar Kumar Singh Son of Late Jitendra Prasad Singh Resident of Ward No. 39, Bahaur Choura, PO-Chand Choura, Tilha Dharmshala, PS-Vishnupad, District-Gaya, Pin-823001.
2. Rinki Devi Wife of Late Rakesh Kumar and D/o Indradeo Singh Resident of Village-Narhat, P.S.-Narhat, P.S.-Narhat, District-Nawada Pin-805122

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Binita Singh, SC 28
		Mr. Nishant Kumar Jha, AC to SC 28
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and

HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

4 17-02-2025

Re : I.A. No. 1 of 2021

Heard I.A. No. 1 of 2021 filed for condonation of delay in filing LPA No. 47 of 2021. There is delay of about 632 days in filing the present LPA. Sufficient cause has not been shown so as to condone the delay of 632 days as is evident from



paragraph Nos. 3 to 8 of the I.A. No. 1 of 2021. The appellants have taken note of that Covid 19 period is required to be taken into consideration. Assuming that Covid 19 period is to be condoned still sufficient cause has not been shown from 15.01.2019, the date on which learned Single Judge has passed order till 15.03.2020, the date on which Covid 19 period commenced.

2. Recently, Hon'ble Supreme Court in the following two decisions *namely* in the case of ***State of Madhya Pradesh vs. Ramkumar Choudhary*** in SLP (C) Diary No. 48636 of 2024 decided on 29.11.2024 and ***H.Guruswamy and Ors. vs. A. Krishnaiah Since Deceased by Lrs.*** reported in 2025 SCC OnLine SC 54, examined the delay in filing of LPA litigation on behalf of State and deprecate while imposing cost. In view of principles laid down in the aforementioned decisions, I.A. No. 1 of 2021 stands dismissed. Resultantly, L.P.A. No. 47 of 2021 stands dismissed.

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

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

GAURAV S./-

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