

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.618 of 2021

In
Civil Writ Jurisdiction Case No.8712 of 2016

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1. The State of Bihar through Principal Secretary, Department of Forest and Environment, Bihar, Patna.
 2. District Magistrate, Munger.
 3. Divisional Forest Officer, Munger Forest Area, Munger.
 4. Forest Range Officer, Forest Area Munger, District- Munger.

... .. Appellant/s

Versus

Rajesh Kumar Son of Sri Ram Pratap Singh Resident of Mohalla- Bari Bazar,
Police Station- Kotwali, District- Munger.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ravi Kumar (A.C. To A.A.G.13)
For the Respondent/s	:	Mr.Anuj Kumar, Sr. Advocate
		Mr.Shreyanshu Kumar, Advocate
		Ms.Sakshi Bhatnagar, Advocate

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

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

5 16-04-2025

Re:I.A. No. 01 of 2021

Heard I.A. No. 01 of 2021, there is a delay of about 2 years, 1 month and 15 days in filing LPA No. 618 of 2021. Appellants - State have assailed the order of learned Single Judge dated 07.08.2019 passed in CWJC No. 8712 of 2016. Cause of action accrued to the appellants in filing LPA was on 06.09.2019. There is no explanation from 06.09.2019 to 19.03.2020 which is required to be examined in the present



case, ignoring the period from 20.03.2020 till 21.10.2021 for which period COVID-19 could be taken into consideration.

2. Be that as it may, there is no sufficient cause has been shown for condonation of delay for about 7 months. As usual what has been stated is movement of the file which cannot be appreciated. In the result for non showing sufficient cause for condonation of delay of about 7 months, the State - appellants have not made out a case so as to condone the delay.

3. At this stage, it is necessary to take note of Hon'ble Supreme Court decision 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**. In the aforementioned decisions, the Hon'ble Supreme Court has taken note of delay in filing litigation on behalf of the State as well as individual and it is deprecated. In fact, in the State litigation Hon'ble Supreme Court while dismissing the litigation on the ground of delay imposed cost of Rs. 1,000,00/- (Rupees One Lakh).

4. In the light of these facts and circumstances, appellants have not made out a case so as to condone the delay. Accordingly, the present I.A. No. 01 of 2021 stands dismissed.

5. Resultantly, the present LPA No. 618 of 2021



stands dismissed.

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

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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