

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.971 of 2023**

**In**  
**Civil Writ Jurisdiction Case No.18189 of 2022**

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Smt. Babita Devi Wife of Binod Kumar Singh Resident of Mohalla-  
Vidyadhar Ward No. 6, (Khagaria) P.S. and District- Khagaria.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Land Reforms and Revenue Department Government of Bihar, Patna.
2. The Collector, Khagaria.
3. The Additional Collector, Khagaria.
4. The Deputy Development Commissioner-cum-Chief Executive Officer, Zila Parishad Khagaria, Mr. Abdul Bhaw Ansari, Son of name not known to the appellant.
5. The Circle Officer, Khagaria, District- Khagaria.
6. The District Fisheries Officer-cum- Chief Executive Officer, Khagaria.
7. Sheo Kumar Sahani Son of Late Jamun Sahani Group Leader, Chnanha Lakshmiia Fisheries Jalkar), Resident of Village- - Tetrabad, P.O.- Jalkaura, P.S. and District- Khagaria.

... .. Respondent/s

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**Appearance :**

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| For the Appellant/s  | : | Mr. Ram Vinay Pd. Singh, Advocate<br>Mr. Apurva Kumar, Advocate |
| For the Respondent/s | : | Mr. Sanjay Kumar Sharma, Advocate<br>Mr. AAG-12                 |

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**and**  
**HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

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

7      17-03-2025                      Appellant has assailed the order of the learned Single Judge dated 17.04.2023. There is a delay of about seventy nine days for which I.A. No. 01 of 2023 has been filed to condone the delay for the reasons stated in the application read with the



affidavit seventy nine days of delay in filing L.P.A. stands condoned.

2. I.A. No. 01 of 2023 stands allowed.

3. With the consent of the learned counsel for the respective parties, L.P.A. is taken up for final disposal.

4. Perusal of the learned Single Judge order dated 17.04.2023 passed in CWJC No. 18189 of 2022, it is crystal clear that appellant without exhausting statutory remedy of appeal before the Appellate Authority has rushed to this Court in filing CWJC No.18189 of 2022. Taking note of the same, the learned Single Judge proceeded to pass order to exhaust statutory remedy of appeal. Without exhausting such remedy appellant has presented this L.P.A. Therefore, the appellant is hereby directed to file appeal before the appellate authority within a period of four weeks from the date of receipt of this order. Thereafter, the concerned Appellate Authority is hereby directed to consider appellant's appeal within a period of six months from the date of receipt of such memorandum of appeal. The time spent before this Court both in C.W.J.C. and the present L.P.A. shall be taken into consideration for the purpose of condonation of delay under Section 14 of the Limitation Act, 1963 by the Appellate Authority and thereafter proceed to pass



appropriate speaking order and communicate the same to the  
appellant within a reasonable period of time.

5. With the above direction, L.P.A. stands disposed of.

**(P. B. Bajanthri, J)**

**( Alok Kumar Sinha, J)**

Prakash Narayan/  
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