

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.678 of 2021

In
Civil Writ Jurisdiction Case No.17235 of 2017

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1. The State of Bihar through the Principal Secretary, Department of Environment and Forest, Government of Bihar, Patna.
 2. The District Magistrate, Rohtas at Sasaram.
 3. The Authorized Officer cum Divisional Forest Officer, Rohtas Forest Division, Sasaram.
 4. The Forest Range Officer, Sasaram, Rohtas.

... .. Appellant/s

Versus

Sri Niwas Singh Son of Bindeshwari Singh Resident of Village- Majhariya,
P.S.- Buxar, District- Buxar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ravi Kumar (AC to AAG-13)
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)

5 24-02-2025 Appellants have assailed the order of the learned Single Judge dated 29.03.2019 passed in C.W.J.C. No. 17235 of 2017. There is delay of about 850 days. The cause of action accrued to the appellants insofar as challenged to the learned Single Judge order dated 29.03.2019 is on 28.04.2019. On the other hand, L.P.A. has been presented on 24.11.2021. There is no proper explanation and cause shown during the period from 28.04.2019 to 14.03.2020 with reference to Covid-19 period commences on 15.03.2020 and completed on 28.02.2022. In the



meanwhile, L.P.A. has been presented on 24.11.2021. The overall delay is required to be explained from 28.04.2019 to 14.03.2020.

2. Perusal of I.A. for condonation read with the affidavit, sufficient cause has not been shown so as to condone the aforementioned delay. Accordingly, I.A. No. 01 of 2021 stands dismissed in the light of Hon'ble Supreme Court decision in the cases 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*.

3. Accordingly, I.A. No. 01 of 2021 stands dismissed. Resultantly, L.P.A. No. 678 of 2021 stands dismissed.

4. Pending I.A.(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Sunil Dutta Mishra, J)

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