

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.653 of 2022

In
Civil Writ Jurisdiction Case No.16828 of 2014

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1. The State of Bihar through the Director, Land Acquisition Department, Bihar, Patna.
 2. The District Magistrate-cum- Collector, Katihar.
 3. The District Land Acquisition Officer, Katihar.

... .. Appellants.

Versus

1. Bhola Singh Son of Lal Bihari Singh, resident of Village Gangeli, P.O. Gangeli, P.S. Barhara, District- Purnea.
2. Kamaldeo Singh Son of Lal Bihari Singh, resident of Village Gangeli, P.O. Gangeli, P.S. Barhara, District- Purnea.
3. Ramchandra Singh, Son of Gulchandra Singh, resident of Village Gangeli, Naya Tola, Rahika Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
4. Dharmendra Singh Son of Ram Bahadur Singh, Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
5. Rajesh Kumar Singh Son of Ram Bahadur Singh, Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
6. Rajkumar Singh son of Ram Bahadur Singh, Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
7. Ganeshi Prasad Singh @ Ganesh Singh, Son of Shippu Singh, resident of Village- Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
8. Urmila Devi, Wife of Ganeshi Prasad Singh @ Ganesh Singh, resident of Village- Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
9. Prakash Chandra Goshwami @ Prakash Goshwami, Son of Bhudev Goshwami, resident of Village- Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
10. Updesh Prasad Singh, Son of Late Ayodhya Prasad Singh, resident of Village- Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.
11. Naresh Prasad Singh, Son of Shew Narayan Singh, resident of Village- Gangeli, P.O. Gangeli, P.S. Barhara, District- Purnea.
12. Harihar Sah, Son of Ganeshi Sah, resident of Village- Gangeli, Naya Tola, P.O. Gangeli, P.S. Barhara, District- Purnea.

... .. Respondents.

Appearance :

For the Appellants	:	Mr. Majid Mahboob Khan (A.C. to A.A.G.12)
For the Respondents	:	Mr. Suraj Samdarshi, Advocate.



CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 12-08-2025

I.A. No.1 of 2022:

Appellants-State has assailed the order of the learned Single Judge dated 17.10.2017 passed in C.W.J.C. No.16828 of 2014.

2. The appellants-State had cause of action to file the L.P.A. on 16.11.2017. There is a delay of about 5 years in filing the L.P.A. Sufficient cause has not been shown. Perusal of the pleadings, it is evident that not even the dates and events like what is the date of cause of action accrued to the appellants-State and from that date, till filing of the L.P.A., what would be number of days of delay and the reasons for delay. In other words, hopelessly, I.A. No.1 of 2022 for condonation of delay has been drafted. Resultantly, I.A. No.1 of 2022 stands rejected with cost of Rs.5000/-(Rupees Five Thousand) for the reasons that the Hon'ble Supreme Court in the case of **State of Madhya Pradesh Vs. Ramkumar Choudhary** reported in **2024 SCC OnLine SC 3612** deprecated in filing of belated litigation on behalf of the State while imposing cost of Rs.1,00,000/-(Rupees One Lac), taking note of the same principle, we are compelled



to reject I.A. No.1 of 2022 for condonation of delay of about 5 years in filing the L.P.A. Cost shall be paid in the Lawyers' Association Welfare Benevolent Fund, Indian Bank, Branch- LNMI, Bailey Road, Patna, IFSC No.IDIB000L501 having Bank Account No.7801893276.

3. Resultantly, L.P.A. No.653 of 2022 stands dismissed.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.08.2025.
Transmission Date	NA

