

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.692 of 2022

In

Civil Writ Jurisdiction Case No.16382 of 2019

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1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
 2. The Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.

... .. Appellants.

Versus

1. Krishna Bhushan Choudhary, Son of Sri Neeras Choudhary, resident of Ward No.9 Near Ram Janaki Mandir Darhaar, P.S. Laherisarai, District-Darbhangha.
2. Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga, through its Registrar.
3. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.

... .. Respondents.

Appearance :

For the State-Appellants : Mr. Madanjeet Kumar, GP-20.

For the Respondent No.2: Mr. Sunil Kumar Karn, Advocate.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

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

Date : 26-03-2025

The State-appellants has filed the present L.P.A. along with I.A. No.2 of 2023 for condonation of a delay of about 3 years 81 days. Order of the learned Single Judge passed in C.W.J.C. No.16382 of 2019 is dated 14.08.2019. Resultantly, cause of action accrued to the appellants on 13.09.2019 and L.P.A. was presented on 24.11.2022. There is no sufficient cause shown during the intervening period from 13.09.2019 to 20.03.2020, the date on which COVID-19 was in vogue. The appellants need not explain delay during the COVID-19 period, namely, from 20.03.2020 to 28.02.2022. In other words, there



is no explanation from 01.03.2022 to 24.11.2022, the date on which L.P.A. was presented. The State-appellants are filing belated L.P.As. in a very casual manner. Despite our observations made in number of cases, the State is not reforming. In fact, recently, the Hon’ble Supreme Court in the case of **State of Madhya Pradesh Versus Ramkumar Choudhary**, reported in **2024 SCC OnLine SC 3612** deprecated in filing belated litigation on behalf of State while imposing cost also. The same was also reiterated in subsequent decision Viz. **H. Guruswamy and Others Versus A. Krishnaiah Since Deceased by Lrs.**, reported in **2025 SCC OnLine SC 54**.

2. In the light of these facts and circumstances, State-appellants has not made out a case so as to condone the delay in filing the present L.P.A. Hence, I.A. No.2 of 2023 filed for condonation of a delay of about 3 years 81 days stands rejected.

3. Resultantly, the present L.P.A. No.692 of 2022 stands dismissed. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Sinha, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.03.2025.
Transmission Date	NA

