

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.747 of 2022

In
Civil Writ Jurisdiction Case No.5128 of 2018

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1. The State of Bihar through the Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
 2. The District Magistrate, Saran at Chapra.
 3. The District Supply Officer, Saran at Chapra.
 4. The Sub Divisional Officer, Sonapur, Saran.
 5. The Block Supply Officer at Dighwara, District- Saran.

... .. Appellant/s

Versus

Sanjay Kumar Gupta S/o Late Kanhai Sah, Resident of Village- Jhauwa, P.S.-
Awtar Nagar, District-Saran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Ranjan (A.C. To A.A.G.5)
For the Respondent/s : Mr.

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

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

4 06-08-2025 **Re: I.A. No.01 of 2022**

Heard I.A. No. 01 of 2022 for condonation of delay.

There is a delay of about 4 years 4 months and 14 days in filing
L.P.A. No. 747 of 2022.

2. Cause of action accrued to the appellant-State on
05.08.2018 in the light of the order of the learned Single Judge
dated 06.07.2018 passed in CWJC No. 5128 of 2018. There is
no explanation for the period from 05.08.2018 to 19.03.2020
and second spell from 01.03.2020 to 21.12.2022, the date on



which the LPA was presented. The intervening period from 20.03.2020 to 28.02.2022 could have been condoned with reference to Covid-19 period, however, for two spells there is no explanation so as to condone the delay as is evident from pleadings in the interlocutory application for condonation of delay. Resultantly, appellant-State has not made out a case so as to condone the delay of about 4 years 4 months and 14 days in filing L.P.A. No. 747 of 2022.

3. Accordingly, I.A. No. 01 of 2022 stands dismissed.

LPA No. 747 of 2022.

4. Resultantly, LPA stands dismissed.

5. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

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