

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.273 of 2026

In
Letters Patent Appeal No.28 of 2011

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Goshala Committee, Madhepura through its Secretary Giridhari Prasad S/o Late Ram Bilash Agrawal, Resident of Village- Madhepura, P.O. and P.S.- Madhepura, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Collector, Madhubani.
3. The Anchaladhikari (Circle Officer), Madhepura, Distt.- Madhubani.
4. Upendra Thakur @ Lal Thakur, S/o Late Kari Thakur Resident of Village- Madhepura, P.S.- Madhepura, Distt.- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Shukla, Advocate
For the Opposite Party/s : Mr. Additional Advocate General 12

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

5 07-07-2026 Heard learned counsel for the parties.

2. The present restoration petition has been preferred seeking restoration of L.P.A. No. 28 of 2011 which came to be dismissed.

3. Upon perusal of the records, it transpires that the restoration petition has been filed after an inordinate delay of approximately fourteen years from the date of dismissal.

4. Upon consideration of the grounds stated in the application, we find that no cogent, convincing, or justifiable



explanation has been furnished for such prolonged delay. At this juncture, it is pertinent to take note of the decision rendered by the Hon'ble Supreme Court while deciding the case of **Basawaraj V. Land Acquisition Officer**, reported in **(2013)14 SCC 81**, wherein it was observed as follows:-

“15. The law on the issue can be summarised to the effect that where a case has been presented in the court beyond limitation, the applicant has to explain the court as to what was the “sufficient cause” which means an adequate and enough reason which prevented him to approach the court within limitation. In case a party is found to be negligent, or for want of bona fide on his part in the facts and circumstances of the case, or found to have not acted diligently or remained inactive, there cannot be a justified ground to condone the delay. No court could be justified in condoning such an inordinate delay by imposing any condition whatsoever. The application is to be decided only within the parameters laid down by this Court in regard to the condonation of delay. In case there was no sufficient cause to prevent a litigant to approach the court on time condoning the delay without any justification, putting any condition whatsoever, amounts to passing an order in violation of the statutory provisions and it tantamounts to showing utter disregard to the legislature.”

5. Accordingly, the present application stands dismissed.



6. If so advised, the petitioner shall be at liberty to approach the competent authority for redressal of his grievance.
7. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, J)

(Ranjan Kumar Jha, J)

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