

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1244 of 2024
In
Civil Writ Jurisdiction Case No.9626 of 2020

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1. The State of Bihar.
 2. The Principal Secretary, Building Construction Department, Bihar, Patna.
 3. The Executive Engineer, Building Construction Department, Building Division, Munger.
 4. The Treasury Officer, Jamui.

... .. Appellant/s

Versus

1. Shailendra Kumar Mishra Son of Satyanarayan Mishra, Resident of Naya Tola, Bihari, P.S. and District- Jamui.
2. The Accountant General Bihar, Patna.
3. The Bank Manager, State Bank of India, Jamui.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. A.K. Dubey, AC to AAG-11
For the Respondent/s :

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

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

3 01-07-2026 **Re: Interlocutory Application No. 01 of 2024:**

The present Interlocutory Application has been filed seeking condonation of delay of 395 days in preferring the present appeal.

2. 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.”



3. Accordingly, Interlocutory Application No. 01 of 2024 stands dismissed.

Re: LPA No. 1244 of 2024:

4. Consequently, the present appeal is also dismissed.

(Sudhir Singh, J)

(Ranjan Kumar Jha, J)

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