



IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.411 of 2024

In

Civil Writ Jurisdiction Case No.8175 of 2023

=====

Raghunath Sharma Son of Late Awadh Sharma Resident of Village Rusulpur,
Police Station.Ahiyapur, District- Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar through its Principal Secretary, Department of Health Medical Education and Family Welfare, Government of Bihar, Patna.
2. The Director-in-Chief, Health Services, Government of Bihar, Patna.
3. The Superintendent, Sri Krishna Medical College and Hospital, Muzaffarpur.
4. The Administrative Officer, Sri Krishna Medical College and Hospital, Muzaffarpur.
5. The Medical Officer (Store), Sri Krishna Medical College and Hospital, Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Sri Krishna Ranjan, Advocate
For the Respondent/s : Mr.Anil Kr. Verma, Ac to Aag9

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 14-10-2025

Re:I.A. No. 01 of 2024

2. Heard I.A. No. 01 of 2024, there is a delay of about 36 days in filing LPA No. 411 of 2024. For the reasons stated in application read with the affidavit, delay of about 36 days in filing LPA stands condoned. Accordingly, I.A. No. 01 of 2024 stands allowed.

3. With the consent of learned counsel for the appellant, the present matter is taken up for final disposal.





Appellant has assailed the order of learned Single Judge dated 12.02.2024 passed in CWJC No. 8175 of 2023.

4. Perusal of the dates and events, it is crystal clear that appellant has slept over the matter with reference to order of dismissal issued in the year 2013 for about a decade. In this regard, learned Single Judge has taken note of issue of delay and referred certain judgments in Para 7. Para 7 of learned Single Judge order reads as under:-

“7. Considering the facts and circumstances of the case and for the reasons mentioned hereinabove in the preceding paragraphs, this Court finds that the present writ petition is fit to be dismissed on the ground of delay and laches alone inasmuch as the petitioner has approached this Court belatedly after an enormous delay of 10 years. Thus considering the principles laid down by the Hon'ble Apex Court in a catena of judgments, as referred to herein above in the preceding paragraphs, as also considering the maxim- “equity aids the vigilant and not those who slumber on their rights”, this Court is of the view that since the petitioner has not filed the present writ petition within a reasonable period of time, this Court is not under any legal obligation to entertain the writ petition, especially considering the fact that the petitioner has not offered any reason whatsoever, for the enormous delay which has taken place in approaching this Court, hence, the present writ petition is dismissed on the ground of delay and





latches.”

5. In the light of these facts and circumstances, the appellant has not made out a case so as to interfere with the order of learned Single Judge dated 12.02.2024 passed in CWJC No. 8175 of 2023.

6. Accordingly, the present LPA No. 411 of 2024 stands dismissed.

7. Pending Interlocutory Application(s), if any, stands disposed of.

(P. B. Bajanthri, CJ)

(Alok Kumar Sinha, J)

abhishekk/-

U			
---	--	--	--

