

आदेश की प्रतिलिपि
आदेश की तारीख

आदेश पर 1 नई
कॉपीयों की प्रतिलिपि एवं
तारीख

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23.6.17

Heard the learned counsel for the appellant and learned G.P. also on the point of admission.

The instant appeal petition has been filed before this Court on 26.04.16 wherein the impugned order passed by DCLR, Siwan Sadar on 22.05.14 has been challenged.

The learned counsel appearing of behalf of the appellant submitted that although this appeal has been filed with some delay but the delay caused has been explained satisfactory though limitation petition u/s 5 of limitation act, He further prayed that this appeal petition be admitted after condoning the delay.

Learned G.P. on the other hand, opposed the arguments and submitted that there is a delay of about two years in filing of instant appeal whereas the statutory period under the BLDR Act-2009 is only 60 days. He further submitted that even no satisfactory and convincing reasons have been furnished by the appellant in the limitation petition for such a long delay.

Having heard the learned counsel for the parties and on going through the record, there appearing to be serious laches and negligence, on the part of the appellant in preferring the appeal and even no proper explanation has been furnished for such an inordinate delay making the limitation petition, itself to be inappropriate and unsatisfactorily. Hence I am not inclined to take a liberal view in the present case. Accordingly, the limitation petition as well as ground taken there in are rejected.

As result, the appeal petition is dismissed.

Dictated and Corrected by me.

Commissioner
Saran Division, Chapra

Commissioner
Saran Division, Chapra