

IN THE HIGH COURT OF JHARKHAND AT RANCHI
I.A. No. 13072 of 2025
In / And
L.P.A. No. 651 of 2025

1. The State of Jharkhand.
2. The Deputy Commissioner, Ranchi, P.O.-G.P.O., P.S. Kotwali, District Ranchi.
3. The Additional Collector, Ranchi, P.O.-G.P.O., P.S. Kotwali, District Ranchi.
4. The Land Reforms Deputy Collector, Sadar, Ranchi, P.O.-G.P.O., P.S. Kotwali, District Ranchi.
5. The Circle Officer, Bero, P.O. & P.S. Bero, District Ranchi.
6. The Circle Officer, Itki, P.O. & P.S. Itki, District Ranchi.

... Respondents/Appellants

Versus

Md. Imteyaz, son of Late Md. Kurban, resident of Kalisthan Road, Ranchi, P.O. – G.P.O., P.S. Lower Bazaar, District Ranchi.

... Petitioner/Respondent

CORAM: HON’BLE THE CHIEF JUSTICE
HON’BLE MR. JUSTICE RAJESH SHANKAR

For the Appellants: Mr Kumar Rahul Kamlesh, A.C. to S.C.-IV
For the Respondent: Mr A.K. Sahani, Advocate
Mr Ajit Kumar, Advocate

Reserved on: 03.08.2026

Pronounced on: 04/08/2026

Per M. S. Sonak, C.J.

1. Heard learned counsel for the parties.
2. This I.A. seeks condonation of the delay of 382 days in filing the appeal against the judgment dated 26.06.2024 made by the learned Single Judge in W.P. (C) No. 4992 of 2023.
3. From a perusal of the averments in the I.A., and upon hearing the Learned Counsel for the parties, we are satisfied that the appellants

have failed to disclose any sufficient cause to explain the said inordinate delay of 382 days.

4. The application, in a nutshell, merely chronicles the acquisition of legal opinions, the collection of relevant records, and internal departmental procedures. It then concludes with a bare assertion that the grounds of appeal were subsequently drafted and the present appeal preferred. Also, and most importantly, the appellants have made no effort to account for the specific time intervals consumed at each stage of these departmental processes.
5. To be precise, it is apparent from paragraph 4 of the I.A. that the impugned order was passed on 26.06.2024. Yet, the very first concrete step adverted to in the application is dated 01.02.2025, i.e., after a lapse of nearly 5 months. This step is when the representation received from the Respondent/Petitioner on 27.12.2024 was forwarded to the concerned Circle Officer for taking steps for preparation of grounds of appeal on 01.02.2025 by the Additional Collector.
6. The I.A. seeks to attribute this initial delay to the shoulders of the Respondent/petitioner because the representation was filed by him before the Deputy Commissioner, Ranchi, only on 27.12.2024. However, such an explanation is wholly untenable. The impugned order was made after hearing the Appellants' Counsel. Therefore, it was equally open to, and indeed incumbent upon, the appellants-Department to diligently pursue the matter and ascertain its outcome.

7. Furthermore, the application is conspicuously silent as to any step taken by the department during this entire five-month period to inquire into the status of the writ petition.
8. Progressing further, the concluding lines of paragraph 4 of the I.A. state that the grounds of appeal were communicated by the Circle Officer to the L.R.D.C., Sadar, Ranchi, on 26.03.2025, who thereafter forwarded the same to the Legal Section of the Deputy Commissioner's Office on 28.03.2025.
9. Paragraph 5 further states that a decision was subsequently taken to obtain a legal opinion through proper channels, leading to the file being forwarded to the Secretary, Department of Revenue, Registration and Land Reforms, Government of Jharkhand, on 10.05.2025.
10. In this regard, it is pertinent to note that the file remained idle with the Circle Officer for over two months and spent approximately 40 days in the Legal Section of the Deputy Commissioner's Office. These intervening gaps remain completely unexplained.
11. The appellants have merely listed the dates on which official actions were taken, without bothering to explain the circumstances that caused such prolonged delays at each stage. Such casual narration of dates, bereft of any cogent explanation for the administrative inertia, fails the test of "*sufficient cause*" as envisaged under S. 5 of the Limitation Act, 1963.
12. Moving further, the file was transmitted to the Office of the Learned Advocate General, where approval to prefer an appeal was granted on 11.06.2025 through Standing Counsel IV (SC-IV).

However, as per the appellant's own showing, due to an error, the file was wrongly routed to Standing Counsel I (SC-I), a mistake subsequently rectified by approaching Standing Counsel V (SC-V) on 01.07.2025. Thereafter, the final draft of the appeal was received on 07.07.2025.

13. Notwithstanding the same, the present appeal was preferred only on 08.08.2025, after purportedly securing approval from the competent authority. Once again, there is a total absence of any explanation for this interregnum period of nearly a month, which was consumed merely in obtaining an affidavit on 01.08.2025 and securing the final administrative clearance. This repeated pattern of sheer carelessness and unexplained gaps, even right up to the filing stage, shows a total lack of seriousness, rendering the department's plea for condonation of delay completely baseless.
14. Accordingly, what emerges from the above is that the delay is unsupported by any coherent or continuous explanatory chronology. The application merely catalogues routine departmental steps without addressing, even cursorily, why the matter remained dormant for such extended periods at the most material stages. An applicant seeking the extraordinary relief of condonation of delay must do more than narrate what eventually happened; it must also account for what did not happen.
15. The learned counsel for the appellants has placed reliance on the judgments of the **Hon'ble Supreme Court in State of Jharkhand & Ors. vs. Md. Noor Hassan [SLP (C) No. 27014/2024] and State of Jharkhand & Anr. vs. Jitendra Prasad Sinha & Ors.**

[SLP (C) No. 4427/2025] to buttress their case. However, this reliance is wholly misplaced. In both the cited decisions, the Hon’ble Apex Court condoned the delay only after being satisfied that the timeline was sufficiently explained and *was not the result of willful negligence, chronic lethargy, or the incompetence of public instrumentalities*.

16. In the instant case, however, the facts reveal quite the opposite. The appellants have presented a textbook example of gross administrative apathy, unexcused gaps, and persistent laxity at every stage of file-routing. In this case, far from establishing “sufficient cause”, the record reflects sheer indifference and inaction on the part of the State machinery. Consequently, the principles laid down in the cited authorities find no application to the present proceedings.
17. Moreover, the law is well settled that casual averments and formulaic bureaucratic explanations do not constitute sufficient cause for condoning delay of this magnitude. The mere recitation that files moved through proper channels, that legal opinion was sought and obtained, that service records were called for, and that the appeal was eventually prepared, cannot, without more, justify the exercise of discretion in favour of the appellants.
18. In *Postmaster General and Others Vs. In Living Media India Limited and Another*, reported in (2012)3 SCC 563, the Hon’ble Supreme Court has held that delay cannot be condoned where the Government Department or the persons concerned have not evinced diligence in prosecuting the matter and taking appropriate

steps. *The Court has held that in the absence of a plausible and acceptable explanation, the delay cannot be condoned mechanically merely because the Government or a wing of the Government seeks condonation. The claim of impersonal machinery and inherited bureaucratic methodology of making several notings cannot be invariably accepted in view of modern technologies being used and available.* It was reiterated that the law of limitation undoubtedly binds everybody, including the Government.

19. In *Union of India & Anr. Vs. Jahangir Byramji Jeejeebhoy (D), through his LR, reported in 2024 SCC Online SC 489*, the Hon'ble Supreme Court held that even the length of the delay is a relevant factor that the Court must consider when dealing with applications for condonation of delay. *The Court noted that, from the tenor or approach of the appellants, it appeared that they sought to fix their own period of limitation for instituting proceedings for which the law has prescribed a period of limitation. Once it is held that a party has lost its right to have the matter considered on the merits because of its own inaction for a long time, it cannot be presumed that the delay was not deliberate, and in such circumstances the party cannot be heard to plead that substantial justice deserves to be preferred against technical considerations.*

20. The Hon'ble Court also held that, when considering a plea for condonation of delay, the court must not start with the merits of the main matter. The court owes a duty to first ascertain the bona

fides of the explanation offered by the parties seeking condonation. *It is only if the cause assigned by the litigant is sufficient and the opposition of the other side is equally balanced that the court may bring the merits of the matter into aid for the purpose of condoning the delay. Further, the question of limitation is not merely a technical consideration. The rules of limitation are based on the principles of sound public policy and equity.*

21. The Hon'ble Court held that the 'Sword of Damocles' cannot be kept hanging over the head of the respondent for an indefinite period to be determined at the whims and fancies of the appellants. *The Court noted that in a plethora of decisions, it has been said that the delay should not be excused as a matter of generosity. Rendering substantial justice is not to cause prejudice to the opposite party. Where the appellants failed to demonstrate that they were reasonably diligent in prosecuting the matter, the delay cannot be condoned. If it is found that the delay in filing the appeal has arisen due to the party's own negligence and casual attitude, the delay cannot be condoned on the grounds of doing substantial justice.*

22. In ***Shivamma (Dead) by Lrs. Vs. Karnataka Housing Board & Ors., reported in 2025 SCC OnLine SC 1969***, the Hon'ble Supreme Court conveyed an emphatic message to all the High Courts that delay should not be condoned on frivolous and superficial grounds, until a proper case of sufficient cause is made out, wherein the State-machinery is able to establish that it acted with bona fides and remained vigilant all throughout. *Procedure is*

a handmaid to justice, as is famously said, but courts, and more particularly the constitutional courts, ought not to obviate the procedure for a litigating State agency, which also equally suffers the bars of limitation from pursuing litigations due to its own lackadaisical attitude.

23. The Hon'ble Supreme Court held that the High Courts ought not give a legitimising effect to such a callous attitude of the State authorities or their instrumentalities and should remain extra cautious if the party seeking condonation of delay is a State authority. They should not become surrogates for State laxity and lethargy. *The constitutional courts ought to be cognizant of the apathy and pangs of a private litigant. Litigants cannot be placed in situations of perpetual litigation, wherein the fruits of their decrees or favourable orders are frustrated at a later stage.*
24. The Hon'ble Supreme Court has further observed that limitation periods are prescribed to maintain a sweeping scope for the lis to attain finality. *More than the importance of judicial time, what worries is the plight of a litigant with limited means, who is to contest against an enormous State, and its elaborate and never-exhausting paraphernalia. Such litigations deserve to be disposed of at the very threshold, because, say, if a party litigating against the State, for whatever reason, is unable to contest the condonation of delay in appeal, unlike the present case, it reopens the lis for another round of litigation, and leaves such litigant listless yet again. As courts of conscience, Courts are obligated to ensure that a litigant is not sent from pillar to post to seek justice.*

No litigant should be permitted to be so lethargic and apathetic, much less be permitted by the courts to misuse the process of law.

25. Applying the above principles to the gross facts and circumstances of the present case, we are satisfied that no sufficient cause has been shown; consequently, we dismiss this I.A. seeking condonation of the delay of 382 days in filing the accompanying appeal.
26. Resultantly, the accompanying appeal and the IAs, if any, therein, will not survive and are disposed of.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

August 04, 2026

N.A.F.R.

Manoj/Cp.2

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