IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 3683 of 2026

In / And

L.P.A. No. 301 of 2026

1. The State of Jharkhand through its Secretary/ Principal Secretary, School Education and Literacy Department, Government of Jharkhand having its Office at Project Bhawan, Dhurwa, P.O. Dhurwa, P.S. – Jagganathpur, District - Ranchi.
2. The District Education Officer, Ranchi having its Office at Combined Building, P.O. – G.P.O., P.S.- Kotwali, Town and District - Ranchi.

... Respondents/Appellants

Versus

Mina Devi, Wife of Jai Prakash Nayak, Resident of Mohalla – Pithiya Toly, Upper Hatiya, P.O. – Hatiya, P.S. – Jagarnathpur, District - Ranchi.

... Petitioner/Respondent

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

For the Appellants: Mr. Manish Kumar, Sr. S.C.-II

Reserved on: 22.06.2026 **Pronounced on: 24/06/2026**

***Per* M. S. Sonak, C.J.**

1. Heard Mr Manish Kumar, learned Sr. S.C.-III appearing for the appellants-State.

2. This I.A. seeks condonation of the delay of 435 days in filing the appeal against the order dated 2.12.2024 made by the learned Single Judge, in W.P.(S) No. 3408 of 2023, where the learned Single Judge allowed the writ petition filed by the respondent.

3. From a perusal of the averments made in paragraphs 4-7 of the I.A., it appears that the statement of facts and the grounds of appeal were

prepared by the office of the District Superintendent of Education, Ranchi, and forwarded to the Directorate of Secondary Education on 05.12.2025. Upon such forwarding, certain relevant documents were found to be missing, and this deficiency was duly pointed out on 16.12.2025, whereupon the District Superintendent of Education, Ranchi, was directed to furnish the same.

4. In compliance thereof, the requisite documents were received on 19.01.2026, and the matter was forwarded for legal opinion the following day. Upon receipt of the said legal opinion, the memorandum of appeal was drafted, and the appeal was ultimately filed on 11.03.2026. The delay occurring during this period, therefore, stands explained.

5. However, and this is where the application falls into conspicuous silence, *no explanation whatsoever has been furnished for the inaction during the initial period of over one year, spanning from 02.12.2024 to 05.12.2025*. Not a single averment has been made in the I.A., nor any material has been placed on record, to account for the steps, if any, taken by the appellants during this prolonged interregnum period.

6. In this context, it can be stated that it is well settled that condonation of delay is not a matter of course, and that sufficient cause must be demonstrated for every segment of the delay sought to be condoned. In the absence of any such explanation, this Court is unable to hold

that the appellants were prevented by sufficient cause from preferring the appeal within the prescribed period of limitation.

7. In addition to this, in paragraph 9 of the I.A., the appellants have stated that "*the file had to move through various channels of the Department of School Education and Literacy and the Advocate General's Office for seeking administrative and legal approvals*." Be that as it may, the appellants cannot be permitted to rely on routine administrative processes and the interdepartmental movement of files to justify such inordinate delay. In the absence of a specific, satisfactory, and stage-wise explanation of the time consumed at each level, such administrative formalities cannot justify the delay occasioned in preferring the appeal.

8. Learned counsel for the appellants tries to point out that the State has a good case on merits. However, nothing substantial has been demonstrated to prima facie indicate that the State has a good case on merits. Accordingly, the aforesaid submission cannot be accepted. In any event, arguendo, even if the State has a good case on merits, that by itself cannot be the sole consideration for condoning the delay of 435 days when no sufficient cause has been shown.

9. In this regard, reliance can be placed on the dictum of the Hon'ble SC in **Postmaster General and Others v. Living Media India Limited and Another**, reported in **(2012) 3 SCC 563.** In the said case, the Hon'ble Court held *that Government departments staffed*

with legally conversant personnel cannot claim any special or extended period of limitation. Mere recitation of dates of file movement, without explaining the reason for each interval, does not constitute sufficient cause. The Court categorically rejected the excuse of impersonal machinery and bureaucratic methodology, particularly in the age of modern technology, and held that delay cannot be condoned mechanically solely because the applicant is the Government or a wing thereof.

10. Moreover, in the recent past, the Hon'ble SC in the case of **Union of India & Anr. vs. Jahangir Byramji Jeejeebhoy (D) through his LR**, reported in **2024 SCC OnLine SC 489**, held that the *status of a litigant, whether private or State, is immaterial when condoning gross delay. Prolonged inaction cannot be presumed non-deliberate, and in such circumstances, a plea of substantial justice cannot override the bar of limitation. The Hon'ble Court further held that before adverting to the merits, the court must first assess the bona fides of the explanation offered; merits may be taken into aid only where the explanation and the opposition are evenly balanced. Reiterating that limitation is grounded in public policy and equity, the Hon'ble Court held that delay cannot be excused as a matter of generosity.*

11. The Hon'ble Supreme Court has, time and again, held that the rules of limitation are based on the principles of sound public policy and equity. The length of the delay is a relevant consideration in the

condonation of delay in filing an appeal. 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 may not be condoned on the grounds of doing substantial justice.

12. The Hon'ble Supreme Court has also held that it is trite law that a government department cannot claim a separate period of limitation. The law of limitation undoubtedly binds everyone, including the Government. The claim for condonation of delay on account of impersonal machinery and the inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies available and in use. If it is found from the record of a particular case that the department(s) or the officials concerned were not diligent in prosecuting the matter in the Court by taking appropriate steps, the application for condonation of delay is liable to be rejected.

13. In ***Shivamma (Dead) by Lrs. Vs. Karnataka Housing Board & Ors***., **2025 SCC OnLine SC 1969**, the Hon'ble Supreme Court has once again made it abundantly clear that "*administrative lethargy and laxity" can never stand as a sufficient ground for condonation of delay. The Hon'ble Supreme Court in para 261 observed "we want to convey an emphatic message to all the High Courts that delays shall 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, who also equally suffer the bars of limitation from pursuing litigations due to its own lackadaisical attitude."

14. The Hon'ble Supreme Court further observed that the High Courts ought not give a legitimising effect to such 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 later stages.

15. The Hon'ble Supreme Court observed: "*We are at pains to reiterate this everlasting trend, and put all the High Courts to notice, not to reopen matters with inordinate delay, until sufficient cause exists, as by doing so the courts only add insult to the injury, more particularly in appeals under Section 100 of the CPC, wherein its jurisdiction is already limited to questions of law*".

16. 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-ending paraphernalia.

17. The Hon'ble Supreme Court has further observed that such litigations deserve to be disposed of at the very threshold, because, 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 a 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, let alone be permitted by the courts to misuse the process of law.

18. Applying the above principle to the gross facts and circumstances of the present case, we are satisfied that no sufficient cause has been shown and consequently, we dismiss this I.A., seeking condonation of the delay of 435 days in filing the accompanying appeal.

19. As a consequence, the accompanying appeal and the I.A. therein do not survive and are disposed of.

20. No costs.

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

(Rajesh Shankar, J.)

June 24, 2026

N.A.F.R.

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