IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No.477 of 2025
With
I.A. No.10355 of 2025

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1. Birsa Agricultural University, through its Vice-Chancellor, Kanke, Ranchi.
2. The Registrar, Birsa Agricultural University, Kanke, Ranchi.
3. The Director of Administration, Birsa Agricultural University, Kanke, Ranchi.

..... Appellants.

-Versus-

1. Dr. Rabindra Mohan Mishra, SMS (A.H.), S/o Sri Binod Chandra Mishra, resident of C/o Mr. N. Pandey, L-4/63, F-Road, Telco Colony, P.O. & P.S. Jamshedpur, District Singhbhum East-831004.
2. Vinod Kumar Pandey, SMS (Ag. Eng.), S/o Sri Thakur Ji Pandey, resident of Krishi Vigyan Kendra, Chatra, P.O. & P.S. Tapej, District Chatra-825401.
3. Uday Kumar Singh, SMS (Agr), S/o Mr. Hrday Soi Rom Bale Kumar Singh, resident of Krishi Vigyan Kendra, Peterwar, District Bokaro.
4. Dr. Arti Beena Ekka, SMS (Hort.), daughter of Sri P.T. Ekka, resident of Albert Compound, Pathalkudwa, P.O. and P.S.-Lower Bazar, District Ranchi.
5. Dr. Supriya Singh, SMS (Hort.), Daughter of Sri Binod Kumar Singh, resident of C/o Tarun Kumar Singh, Flat -3B, Bharat Block, Sitakunj Apartment, Dr. S.N. Yadav Lane, Karamtoli, P.O. and P.S.-Morabadi, Dist.- Ranchi.
6. Dr. Nandana Kumari, SMS (H.Sc.), daughter of Sri Narayan Kumar Mishra, resident of Krishi Vigyan Kendra, P.O. and P.S.- Peterwar, Dist.- Bokaro.
7. Dr. Himanshu Singh, SMS (A.H.), son of Dr. Chandra Shekhar Prasad Singh, resident of Kusum Smriti, Lower Boreya Road, Arsunday, P.O., P.S. and Dist.- Ranchi.
8. Dr. Birendra Kumar Mehta, SMS, son of Late Sadanand Mehta, resident of Krishi Vigyan Kendra, P.O. + P.S. Jirwabari, Dist.-Sahibganj-816109.
9. Dr. Ashok Kumar Sinha, SMS, son of Sri Ramashish Sinha, resident of Krishi Vigyan Kendra, P.O. and P.S.-Chianki, District Palamu-822123.
10. Dr. Devkant Prasad, SMS (Agr.), son of Late Nandlal Pd. Verma, resident of Krishi Vigyan Kendra, P.O. + P.S.- Garhwa, Dist.- Garhwa-822114.

11. Dr. Sushma Saroj Surin, SMS (Agr.), daughter of Late Joseph Surin, resident of Krishi Vigyan Kendra, P.O., P.S. and Dist.- Lohardaga.
12. Dr. Sushma Lalita Baxla, SMS (A.H.), daughter of Late David Baxla, resident of Krishi Vigyan Kendra, P.O., P.S. and Dist. Garhwa.
13. Iffat Zareen, w/o late Dr. Asad, Hussain, SmS (A.H.), resident of Krishi Vigyan Kendra, Jaganathpur, P.O., P.S. and Dist.- West Singhbhum.
14. Dr. Rajeev Kumar, SMS (Ag. Engg.), son of Dr. D.N. Choudhary, resident of Krishi Vigyan Kendra, Baliapur, P.O., P.S. and Dist.- Dhanbad-828201.
15. Dr. Hemant Kumar Pandey, SMS (A.H.), son of Dr. S.N. Pandey, resident of Lake View Apartment, P.O.-Ranchi University, PS- Gonda Thana, Kanke Road, P.O., P.S. and District Ranchi-834008.
16. Dr. Amrit Kumar Jha, SMS (SSAC), son of Late Janak Nandan Jha, resident of Mo. Manephchak, PO-Mirjanhat, PS-Habibpur, Dist.- Bhagalpur-812005, Bihar.
17. Dr. Sanjay Kumar Sathi, SMS (P.P.), son of Sri Thakur Chandra Singh, resident of Krishi Vigyan Kendra, PO + PS Jagarnathpur, Dist.- West Singhbhum.
18. Dr. Rakesh Ranjan, SMS (Hort.), son of Sri Dinesh Prasad, resident of Edalhatu, P.O., P.S. and Dist.-Ranchi.
19. Dr. Pramod Kumar, SMS (Agr.), son of Sri Ram Chandra Pd. Sinha, resident of Swami Sarnand Nager, Krishi Vihar Road, Arsande, PO-Boreya, PS-Kanke, Dist. Ranchi.
20. Dr. Pankaj Seth, SMS (A.H.), son of Sri Shashi Bhusan Seth, resident of Qr. No. B2/23, RVC Campus, Ranchi Veterinary College, P.O. and P.S. Kanke, Dist.- Ranchi.
21. Dr. Bharti, SMS (H.Sc.), Daughter of Sri ABP Srika, resident of A-3, Laxmi Ganesh Apartment, Opp.-Holiday Home, Kanke Road, P.O., P.S. and Dist.-Ranchi.
22. Dr. Sanjay Kumar, SMS (A.H.), son of Sri R.J. Prasad, Resident of Krishi Vigyan Kendra, Khoot Bandh, Dumka, District - Dumka.
23. Dr. Seema Singh, daughter of Sri N.P. Singh, resident Khunt Bandh, Krishi Vigyan Kendra, P.O. and P.S.- and District - Dumka.
24. Dr. Kanehan Mala, wife of Sri V.K. Gupta, resident of Jagarnathpur, Krishi Vigyan Kendra, District-Singhbhum (West).
25. Kiran Kumari, SMS (Ag. Ext.), Daughter of Sri Jogendra Singh, Resident of Krishi Vigyan Kendra, Seraikella Kharsawan, P.O. and P.S. Seraikella Kharsawan, District Seraikella Kharsawan.

26. Dr. Ranjay Kumar Singh, SMS (Ag. Ext.), Son of Sri Nand Kr. Singh, resident of Krishi Vigyan Kendra, At + PO- Tapej, P.S.- Chatra, Dist.- Chatra.
27. Dr. Amresh Chandra Pandey, SMS (Ag. Engg.), Son of Dr. P.C. Pandey, resident of Krishi Vigyan Kendra, P.O.- Balumath, P.S.- Balumath, Dist.- Latehar.
28. Dr. Maya Kumari, SMS (H. Sc.), daughter of Sri B.K. Mandal, resident of Krishi Vigyan Kendra, P.O. and P.S.-- Sahebganj, Dist.- Sahebganj.
29. Lalit Kumar Das, SMS (Ag. Ext.), son of Late Praful Das, resident of Krishi Vigyan Kendra, Chianki, P.O., P.S. and District - Palamu - 822102.
30. Gopal Krishna, SMS(PP), son of Sri Jagat Narayan Singh, resident of Krishi Vigyan Kendra, P.O. and P.S.-Bona, District Jamtara-815351.
31. Bhushan Prasad Singh, SMS (Agronomy), son of Sri S.K.P. Singh, resident of Krishi Vigyan Kendra, Village Darisai, PO-Barakhursi, Dist. East Singhbhum-832304.
32. Kiran Mary Kandir, SMS(Hort.), daughter of Sri P.P. Kandir, resident of Krishi Vigyan Kendra, P.O. and P.S.- and District Saraikela-832108.
33. Sanjeev Kumar SMS (Agronomy), son of Late Parmanand Singh, resident of Krishi Vigyan Kendra, P.O., P.S. and District Jamtrara.
34. Bramdeo Kr. Yadav, SMS (Ag. Engg.), son of Sri Lal Bihari Yadav, resident of Krishi Vigyan Kendra, Garhwa, PO + PS-Garhwa, Dist.- Garhwa-822114.
35. Vinay Kumar SMS (Ag. Engg.), son of Late Sheonandan Prasad, resident of Krishi Vigyan Kendra, PO+PS- Petarwar, Dist.- Bokaro-829121.
36. Surendra Singh Munda, SMS (Ag. Engg.), son of Late Lakhram Munda, resident of Krishi Vigyan Kendra, P.O., P.S. and District Saraikela-832108.
37. Darma Oraon, SMS (PP), son of Late Dibla Oraon, resident of Krishi Vigyan Kendra, P.O. and P.S.-Tapej, Dist.- Chatra-825401.
38. Pramod Kumar, SMS, son of Sri Rajendra Ram, resident of Krishi Vigyan Kendra, Bena, PO, PS and District Jamtara-815351.
39. Sunita Kumari Komael, SMS, daughter of R.D. Prasad, resident of Krishi Vigyan Kendra, Chianki, PO, PS & District Palamu-822102.
40. Mrs. Neena Bharti, SMS (PP), daughter of Dr. Ram Chandrika, resident of Krishi Vigyan Kendra, PO+PS Petarwar, Dist.-Bokaro-829121.

41. Gondra Mardi, SMS (PP), son of Late Karia Mardi, resident of Krishi Vigyan Kendra, Darisai, P.O. and P.S.-Mahulia, Dist.- East Singhbhum-832304.
42. Mrs. Elisama Xaxa, SMS (PCG.), daughter of Late Martin Xaxa, resident of Krishi Vigyan Kendra, PO+PS- Kisko, Dist.- Lohardaga-835203.
43. Dr. Jayant Kumar Lal, SMS (SSAC), son of Dr. Suresh Lal, resident of Krishi Vigyan Kendra, PO + PS Bengabad, Dist.- Giridih-815312.
44. Dr. Adarsh Kumar Srivastava, SMS (Ag. Ext.), son of Late Kailash Nath, resident of Krishi Vigyan Kendra, PO+PS- Baliapur, Dist.- Dhanbad-828201.
45. Dr. Sudhir Kumar Jha, SMS (SAAC), son of Late Dr. Shobha Nand Jha, resident of A/10, Krishi Vihar, Arsunde, Boreya, P.O., P.S. and Dist.- Ranchi-835240.
46. Dr. Vinod Kumar, SMS (SAAC), son of Late Jagdish Prasad, resident of Krishi Vigyan Kendra, Pakur, P.O. and P.S.- Maheshpur, Dist.- Pakur-816106.
47. Dr. Shankar Kumar Singh, SMS (SAAC), son of Sri Ramadhar Singh, resident of Krishi Vigyan Kendra, Kisko, P.O., P.S. and Dist.- Lohardaga.
48. Dr. Anil Kumar, son of Late Dr. Ramayan Singh, resident of Krishi Vigyan Kendra, P.O. and P.S.-Petarwar Dist.- Bokaro.
49. Dr. Karuna Kumari, SMS (H. Sc.), daughter of Dr. Sahajanand Rai, resident of Krishi Vigyan Kendra, Jamtara, at & P.O. Jamtara, P.S. and District -Jamtara.
50. Dr. Rajiv Kumar, SMS (P.P.), son of Sri Seo Narayan Das, resident of Krishi Vigyan Kendra, Pakur, at & P.O./P.S. Maheshpur, District – Pakur.
51. Dr. Sunita Kandyan wife of Sri Jojo Kandyan, SMS (Hort.), Krishi Vigyan Kendra, Latehar, at & P.O./P.S. Balumath, District - Latehar.
52. Dr. Sheoprasonne Kumar, son of Late Dhupnath Kumar, resident of Krishi Vigyan Kendra, Kisko, P.O., P.S. and District - Lohardaga.
53. Dr. Ajay Kumar Dwivedi, son of Sri Chandra Shekhar Dwivedi, resident of C1 B-90, Demonstration Colony, BAU, P.O. and P.S.- Kanke, Dist.- Ranchi-834006.
54. Dr. Virendra Pratap Rai, son of Late Balmukund Rai, resident of Krishi Vigyan Kendra, P.O. and P.S.-Tapej, District Chatra-825401.
55. Indian Council of Agricultural Research, through its Chairman, Krisi Anusandhan Bhawan, New Delhi-1100013.

..... Respondents.

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

For the Appellants : Mr. A. Allam, Sr. Advocate.
Mr. F. Allam, Advocate
For the ICAR : Mr. Rupesh Singh, Advocate

Order No.02 **Date: 15.06.2026**

1. Heard learned counsel for the parties.

2. I.A. No.10355 of 2025 seeks condonation of delay of 513 days in filing an appeal against the order dated 2nd February, 2024 in W.P.(S) No.6503 of 2013.

3. In Paragraph No. 4 of this application, it is admitted that the order was uploaded on this Court's website in February 2024 itself, and that its certified copy was obtained within two weeks.

4. In Paragraph No.5, it is accepted that the Legal Section placed the file before the Vice Chancellor in February, 2024 itself and it is pleaded that "after taking opinion from its counsel, the instant LPA is being filed". It suffices to note that the instant appeal is filed almost 513 days after the expiry of the period of limitation. Even if it is accepted that there is some explanation up to February, 2024, we note that this appeal was filed on 30th July, 2025.

5. In Paragraph No. 6, there is a reference to the appellant-University discussing the issue with the Indian Council of Agricultural Research (ICAR) and adopting resolutions for compliance, or requesting ICAR for compliance. The averments are extremely vague and, in any event, do not constitute sufficient cause to explain this inordinate delay.

6. Paragraph No.7 of the said interlocutory application shows utmost casualness not only in filing this interim application but also the appellant's approach in challenging the impugned order within the prescribed period of limitation or at least within some reasonable period thereafter.

7. Paragraph No.7 of this IA reads as follows:-

> *"7. That it is stated that after discussion with the ICAR which took several months the decision was taken by the BAU to file an L.P.A. in the month of May, 2025 and finally it was drafted, approved and filed."*

8. Paragraph No.8, which is the last averment in the context of delay, reads as follows:-

> "8. *That it is stated that due to the official discussions and placements of file before the different authorities, it took some time for filing the appeal. So the delay is not deliberate and intentional, rather due to the procedure followed by the University about one and half years have passed in filing the L.P.A."*

9. Based upon the above reasons, like "*official discussions and placements of file before the different authorities",* a delay of 513 days in instituting this appeal cannot be condoned.

10. The learned counsel for the appellants did not try to argue that the ICAR has filed a review petition against the impugned judgment and order. The filing of such a review petition by the ICAR is not even pleaded in this interim application. In any event, that by itself cannot be an excuse for the present appellants not filing an appeal within the prescribed period of limitation or after an unreasonable delay of 513 days post the expiry of the limitation period.

11. In the case of ***Postmaster General and Others Vs. Living Media India Limited and Another, reported in (2012)3 SCC 563***, the Hon'ble Supreme Court has held as under:-

> *"25. We have already extracted the reasons as mentioned in the "better affidavit" sworn by Mr. Aparajeet Pattanayak, SSRM, Air Mail Sorting Division, New Delhi. It is relevant to note that in the said affidavit, the Department has itself mentioned and is aware of the date of the judgment of the Division Bench of the High Court in Office of the Chief Postmaster v. Living Media India Ltd. as 11-9-2009. Even according to the deponent, their counsel had applied for the certified copy of the said judgment only on 8-1-2010 and the same was received by the Department on the very same day. There is no explanation for not applying for the certified copy of the impugned judgment on 11-9- 2009 or at least within a reasonable time. The fact remains that the certified copy was applied for only on 8-1-2010 i.e. after a period of nearly four months.*
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> *26. In spite of affording another opportunity to file better affidavit by placing adequate material, neither the Department nor the person-in-charge has filed any explanation for not applying the certified copy within the prescribed period. The other dates mentioned in the affidavit which we have already extracted, clearly show that there was delay at every stage and except mentioning the dates of receipt of the file and the decision taken, there is no explanation as to why such delay had occasioned. Though it was stated by the Department that the delay was due to unavoidable circumstances and genuine difficulties, the fact remains that from day one the Department or the person/persons concerned have not evinced diligence in prosecuting the matter to this Court by taking appropriate steps.*
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> *27. It is not in dispute that the person(s) concerned were well aware or conversant with the issues involved including the prescribed period of limitation for taking up the matter by way of filing a special leave petition in this Court. They cannot claim that they have a separate period of limitation when the Department was possessed with competent persons familiar with court proceedings. In the absence of plausible and acceptable explanation, we are posing a question why the*

delay is to be condoned mechanically merely because the Government or a wing of the Government is a party before us.

28. Though we are conscious of the fact that in a matter of condonation of delay when there was no gross negligence or deliberate inaction or lack of bona fides, a liberal concession has to be adopted to advance substantial justice, we are of the view that in the facts and circumstances, the Department cannot take advantage of various earlier decisions. The claim on account of impersonal machinery and inherited bureaucratic methodology of making several notes cannot be accepted in view of the modern technologies being used and available. The law of limitation undoubtedly binds everybody, including the Government."

12. In the case of ***Union of India & Anr. Vs. Jahangir Byramji Jeejeebhoy (D) through his LR, reported in 2024 SCC OnLine SC 489,*** the Hon'ble Supreme Court has held as under:-

"25. It hardly matters whether a litigant is a private party or a State or Union of India when it comes to condoning the gross delay of more than 12 years. If the litigant chooses to approach the court long after the lapse of the time prescribed under the relevant provisions of the law, then he cannot turn around and say that no prejudice would be caused to either side by the delay being condoned. This litigation between the parties started sometime in 1981. We are in 2024. Almost 43 years have elapsed. However, till date the respondent has not been able to reap the fruits of his decree. It would be a mockery of justice if we condone the delay of 12 years and 158 days and once again ask the respondent to undergo the rigmarole of the legal proceedings.

26. The length of the delay is a relevant matter which the court must take into consideration while considering whether the delay should be condoned or not. From the tenor of the approach of the appellants, it appears that they want to fix their own period of limitation for instituting the proceedings for which law has prescribed a period of limitation. Once it is held that a party has lost

his right to have the matter considered on merits because of his own inaction for a long, it cannot be presumed to be non-deliberate delay and in such circumstances of the case, he cannot be heard to plead that the substantial justice deserves to be preferred as against the technical considerations. While considering the 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 party seeking condonation. It is only if the sufficient cause assigned by the litigant and the opposition of the other side is equally balanced that the court may bring into aid the merits of the matter for the purpose of condoning the delay.

27. We are of the view that the question of limitation is not merely a technical consideration. The rules of limitation are based on the principles of sound public policy and principles of equity. We should not keep the 'Sword of Damocles' hanging over the head of the respondent for indefinite period of time to be determined at the whims and fancies of the appellants.

35. In a plethora of decisions of this Court, it has been said that delay should not be excused as a matter of generosity. Rendering substantial justice is not to cause prejudice to the opposite party. The appellants have failed to prove that they were reasonably diligent in prosecuting the matter and this vital test for condoning the delay is not satisfied in this case."

13. The Hon'ble Supreme Court has 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.

14. 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.

15. In ***Shivamma (Dead) by Lrs. Vs. Karnataka Housing Board & Ors., reported in 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."*

16. 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.

17. 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".*

18. The Hon'ble Supreme Court has further observed that limitation periods are prescribed to maintain a sweeping scope for the lis to attain for 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.

19. Applying the above principles to the gross facts and circumstances of the present case, we are satisfied that no case has been made for condonation of the delay of 513 days in instituting the instant appeal. I.A. No.10355 of 2025 is liable to be dismissed and is hereby dismissed without any order for costs.

20. As a consequence of the dismissal of the aforesaid I.A., the accompanying appeal is also dismissed.

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

(Rajesh Shankar, J.)

15th June, 2026
Sanjay/Rohit
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