IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 3950 of 2025

In / And

L.P.A. No. 349 of 2025

1. The State of Jharkhand through the Secretary, Government of Jharkhand, Higher Technical Education and Skill Development Department, having its office at Nepal House, P.O. & P.S.: Doranda, District: Ranchi
2. The Deputy Secretary, Department of Higher Technical Education and Skill Development, having its office at Project Bhawan, P.O. & P.S. Dhurwa, District: Ranchi
3. The Secretary, Finance, Government of Jharkhand, having its office at Project Building, P.O.: Dhurwa, P.S.: Jagannathpur, District: Ranchi … Respondents/Appellants

Versus

1. Krishna Murari, aged about 65 years, Son of Ram Nandan Sharma, resident of Qr. No. 0/21, BIT Sindri, P.O.: Sindri Institute, P.S.: Gashula, District: Dhanbad, Jharkhand
2. Sheo Kumar, aged about 64 years, son of Kapildeo Sharma, resident of New Staff Hostel, S-9, BIT Sindri, P.O. Sindri Institute, P.S.: Gashula, O.P. District: Dhanbad, Jharkhand
3. Ram Prakash Sharma, aged about 70 years, son of Late Hanuman Sharma, Resident of Village Balipur, Chakdah Dam, P.O. & P.S.: Balipur, District: Lakhisarai, Bihar
4. Ravindra Sharma, aged about 69 years, son of Late Kameshwar Singh, resident of BIT Sindri, P.O.: Sindri Institute, P.S.: Gashula O.P., District: Dhanbad, Jharkhand

…. …. Petitioners/Respondents

5. The State of Bihar through Secretary, Science & Technology Department, Government of Bihar, P.O. & P.S.-Patna, Bihar
6. Director, BIT Sindri, P.O.: Sindri Institute, P.S. Gashula O.P., District: Dhanbad, Jharkhand

... Proforma Respondents/Respondents

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANOJ PRASAD

For the Appellant: Ms Niharika Mazumdar, A.C. to A.G.
For the Resp. 1 to 5: Mr. Shreshtha Gautam, Advocate
For the Resp. No. 6: Mr. S.P. Roy, G.A.-Bihar
For the Resp. No. 7: Mr. Chandan Tiwari, A.C. to G.A.-I

03/Dated: 26.10.2026

1. Heard Ms Niharika Mazumdar, learned A.C. to A.G. for the applicants (State); Mr Shreshtha Gautam, learned counsel for respondents 1 to 5; Mr Chandan Tiwari, the learned A.C. to G.A.-I for respondent 7; and Mr S.P. Roy, the learned counsel for respondent 6.

2. I.A. No. 3950 of 2025 initially sought condonation of a delay of only 15 days in filing the accompanying Letters Patent Appeal to challenge the learned Single Judge's order dated 12.04.2024 in W.P. (S) No. 877 of 2018. However, this was later corrected to seek condonation of a delay of 278 days.

3. Although the figure "15" was struck out and replaced with "278" in paragraphs 1 and 8, no additional reasons were furnished for the delay.

4. The I.A. in paragraph 3 refers to the filing of C.M.P. No. 429 of 2024 by the original petitioners because one petitioner's name was missing. Based on this C.M.P., the necessary modifications were made in the order dated 12.04.2024 on 17.05.2024.

5. Even if the explanation up to 17.05.2024 is accepted, the delay is still almost 240 days or thereabouts, for which we find no explanation in the IA or the accompanying affidavit.

6. A mere statement that the opinion of the learned Advocate General or Additional Advocate General was sought after the original petitioners represented for compliance does not constitute sufficient cause to explain this delay of 278 days or thereabouts, or even the delay of 240 days if some credence is given to the filing of the C.M.P. and the orders made there on 17.05.2024.

7. The applicants have filed a supplementary affidavit on 02.07.2026. The contents of the supplementary affidavit have also been considered by us. The supplementary affidavit mainly deals with the merits of the matter, which are not very relevant at the stage of considering an application for condonation of delay.

8. In paragraph 9 of the supplementary affidavit, reference is made to the Finance Department’s opinion and the Finance Department’s Circular No. 2074 of 04.04.1985. It appears that the opinion is from 1985. Therefore, based on this opinion, which was well known to the applicants, the applicants have not shown sufficient cause for condoning the delay of 278 days.

9. Since no sufficient cause has been shown, we dismiss the I.A. No. 3950 of 2025. In so dismissing the I.A., we rely upon our order made on 15.06.2026 in I.A. No. 13737 of 2024 in L.P.A. No. 66 of 2025. In the said order, we relied on several decisions of the Hon’ble Supreme Court, which support the respondents' case, who now oppose the condonation of delay.

10. For the reasons above, we dismiss I.A. No. 3950 of 2025 and, consequently, the accompanying appeal. If any other IAs are pending, they will also not survive and will be disposed of.

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

(Manoj Prasad, J.)

October 26, 2026

N.A.F.R.

Manoj/Sharda/Cp.2

Uploaded on 27.10.2026