IN THE HIGH COURT OF JHARKHAND AT RANCHI

I.A. No. 6518 of 2023

In/and

L.P.A. No. 386 of 2023

Rakesh Kumar Singh, aged about 39 years, Son of Shri Raj Kumar Singh, Resident of Quarter No. 2133, Sector-VI/C, P.O. & P.S. Sector-VI/C, Bokaro Steel City, District-Bokaro (Jharkhand).

... Appellant

Versus

1. The Union of India.
2. The Inspector General of Central Industrial Security Force (CISF), Eastern Divisional Headquarter, having its office at Dhurwa, P.O.-Dhurwa, P.S.-Jagannathpur, District-Ranchi.
3. The Dy. Inspector General, Central Industrial Security Force (CISF), Eastern Zone Headquarter, Patna, P.O., P.S. & District-Patna (Bihar).
4. The Commandant, CISF Unit, CTPS Chandrapura Power Station, P.O. & P.S. Chandrapura, District-Bokaro.

... Respondents

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

For the Appellant: Mr. Rahul Kumar, Advocate
Mr. Sumit Prakash, Advocate

For the Respondents: Mr. Prashant Pallav, A.S.G.I.
Mrs. Nitu Sinha, C.G.C.
Mr. Ayush, A.C. to A.S.G.I

08/Dated: 07.09.2026

1. Heard Mr Rahul Kumar, learned counsel for the appellant, and Mr Prashant Pallav, learned A.S.G.I. and learned Senior Advocate, who appears with Mrs Nitu Sinha, learned C.G.C. for the respondents.

2. I.A. No. 6518 of 2023 seeks condonation of delay of 315 days in instituting the accompanying appeal against learned Single Judge's impugned order dated 08.08.2022, dismissing the appellant's W.P.(S) No. 2010 of 2020.

3. In W.P.(S) No. 2010 of 2020, the appellant had challenged the penalty of reduction of increments for two years with cumulative effect for misconduct of manhandling a civilian, remaining absent for about 24 hours and submitting a false explanation for such absence.

4. The I.A. for condonation of delay comprises only 10 paragraphs. The first two merely describe the order that is being challenged in appeal and the fact that the appeal was preferred 315 days after the prescribed period of limitation. In paragraphs 3, 4 and 5, the appellant states that since he was transferred to Lucknow, he could not timely receive the learned Single Judge’s order, and upon receiving the same, he contacted his counsel at Ranchi to file this memo of appeal. The learned counsel advised him to file the memo of appeal and asked him for relevant documents to prepare it. In paragraph 5, it is finally stated that, upon receiving all the relevant documents, counsel prepared the appeal and filed it.

5. Apart from the above averments, which are blissfully vague and bereft of any particulars whatsoever, there is no explanation for the delay of 315 days in filing this appeal. Based upon such self-serving, unverifiable, and vague reasons, no case of sufficient cause is made out.

6. Even the appellant's overall conduct does not show diligence in pursuing this matter. For instance, the appellant instituted a departmental revision almost six years after his appeal against the penalty order was dismissed. This was sought to be justified

on the ground that no specific limitation period was prescribed to institute a revision.

7. Assuming that no specific limitation period was prescribed for instituting a revision, that still does not absolve the requirement to institute the revision within a reasonable period. The revisional authority dismissed the revision on the ground of inordinate and unexplained delay.

8. Mr Rahul Kumar, however, submitted that the appellant has a good case on merits because the penalty imposed was, according to him, shockingly disproportionate.

9. Normally, in a time-barred appeal, the merits or demerits cannot be considered unless sufficient cause is shown for the delay and the delay is condoned.

10. But given the contention raised, we, with the assistance of the learned counsel for the parties, perused the impugned order and the record in W.P.(S) No. 2010 of 2020.

11. Considering the misconduct for which the appellant was charged, we do not subscribe to the contention that there is anything shockingly disproportionate about the penalty imposed. Ultimately, the appellant was a member of the disciplined forces. Manhandling or assaulting a civilian, remaining off duty unauthorizedly, and furnishing a false explanation for such absence are substantially serious charges, and in comparison, the penalty of reducing two increments with cumulative effect can hardly be regarded as disproportionate.

12. The record also shows that the appellant was granted full opportunity, which the appellant duly availed. Therefore, this is

also not a case where principles of natural justice were violated, or there was any lack of reasonable opportunity to the appellant herein.

13. For all the above reasons, we dismiss the I.A., and consequently, even the accompanying appeal will not survive and is hereby dismissed.

14. There shall be no order for costs.

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

(Rajesh Shankar, J.)

September 07, 2026

N.A.F.R.

VK/Nandini

Uploaded on 09.09.2026