IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 600 of 2025
With
I.A. No. 13957 of 2025

Tata Motors Limited, having its registered office at 24 Homi Mody Street, Fort Mumbai and its works at Jamshedpur, PO & PS-Telco, District-East Singhbhum, through its Authorized Signatory Sri Anand Vardhan, S/o Late K.P. Singh, General Manager Legal Services, R/o Town-Jamshedpur, PO & PS-Telco, District-East Singhbhum

... ... Appellant

Versus

1. The State of Jharkhand, through the Secretary, Department of Labour, Ranchi
2. Santosh Kumar, S/o Sri M.L. Sah, R/O PO & PS-Chota Govindpur, Town-Jamshedpur, District-East Singhbhum

... … Respondents

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

For the Appellant : Mrs. Rashmi Kumar, Advocate
For the Respondent No. 1 : Ms. Rishi Bharati, AC to AAG-III
For the Respondent No. 2 : Mr. Arshad Hussain, Advocate

Order No. 08 **Dated: 29.04.2026**

I.A. No. 13957 of 2025

1. Herad learned counsel for the parties at length.

2. This application seeks condonation of a delay of 227 days in instituting this Letters Patent Appeal. The Letters Patent Appeal challenges the learned Single Judge's order dated 21.08.2024. For reasons discussed hereafter, we are satisfied that sufficient cause has not been shown to condone this delay.

3. In paragraph-4 of this I.A., it is stated that the judgment was reserved on 01.08.2024 and was passed later on. This statement is kept deliberately vague. After that, it is pleaded that after coming to know about the judgment, the matter was informed to the legal department of the appellant management. Again, there are no

details regarding when and by whom the judgment was communicated, or the date on which this fact was communicated to the appellant management.

4. Further, it is pleaded that the legal department, after going through the judgment dated 21.08.2024, sent a copy of the judgment to the higher authority for perusal of the facts of the judgment. Again, no dates or details have been supplied.

5. In paragraph 5, it is pleaded that the higher authority, after going through the judgment, directed the legal department to prefer the L.P.A. Again, no dates or details have been supplied.

6. In paragraph-6, it is pleaded that the legal department then directed the counsel on record to prefer the L.P.A. Again, no dates or details have been supplied.

7. In paragraph 7, it is pleaded that on 19.03.2025, i.e., almost seven months after the judgment and order dated 21.08.2024 was passed, a certified copy was applied for. Again, there is no explanation for the delay in applying for the certified copy or for the date on which it was issued.

8. Then, in paragraph-7, it is pleaded that L.P.A No. 348 of 2025 [however, the correct number is L.P.A No. 384 of 2025] was filed to challenge this very judgment and order dated 21.08.2024. Again, it is not pleaded on what date this L.P.A was precisely filed. What is most significant is that this L.P.A. No. 384 of 2025 was dismissed as not pressed on 25.08.2025.

9. This Court’s order dated 25.08.2025 disposing of L.P.A No. 384 of 2025 reads as follows:

> "*1. Learned counsel for the appellant submits that she has got instruction not to press the present appeals with liberty to the appellant to avail appropriate remedy as available under law.*
> 2. *Considering the said submission of learned counsel for the appellant, the present appeals are dismissed as not pressed".*
> 3. *In case, such liberty is resorted to by initiating appropriate proceedings within a period of 30 days, the period of limitation shall not come in the way of the appellant while computing the period of limitation for such proceedings in view of the fact that the matters remained pending before this Court since 04.04.2025 and 05.05.2025 respectively."*

10. In paragraph 9, it is submitted that "*That, as such, the L.P.A could not be filed within the prescribed period and a delay of 227 days occurred in filing the aforesaid L.P.A"*.

11. In paragraphs-10 and 11, it is casually pleaded that the delay in filing the L.P.A is neither intentional nor deliberate. It is also mentioned that the delay was caused due to "*procedural paraphernalia in getting opinion from the higher authority*".

12. Based on the I.A. filed, we are satisfied that there is no case of any sufficient cause made out. By citing such reasons about the moving of the files from one authority to the other, a case of sufficient cause cannot be said to have been made out. The delay due to "*procedural paraphernalia"*, which is a phrase used in I.A. itself, cannot be construed as sufficient cause.

13. Besides, as noted above, the application is completely vague and bereft of any serious particulars or details. The aim is to secure an

advantage by making vague, unverifiable statements.

14. The order dated 25.08.2025 by which L.P.A No. 384 of 2025 was disposed of also does not grant the appellant liberty to prefer a fresh appeal. Still, in paragraph 2 of the appeal memo, a misstatement has been made that in the order dated 25.08.2025, liberty was granted to the appellant "*to file an appropriate appeal within a period of 30 days*".

15. From the perusal of the order dated 25.08.2025, it appears that the appeal was not pressed to avail an appropriate remedy as available under the law. At least prima facie, this would mean a remedy other than the remedy of an L.P.A which was already invoked. Still, by making a misstatement in the appeal memo, a fresh L.P.A has been filed.

16. In any event, even if the period between 04.04.2025 and 05.05.2025, during which the L.P.A remained pending in the Court is to be excluded, still, no case for sufficient cause has been made out. It is extremely doubtful whether a fresh L.P.A. after not having pressed the earlier one would be maintainable at all. The IA does not attribute the delay to the earlier LPA. Instead, the categorical statement in the IA is that the delay was caused by "*procedural paraphernalia in getting opinion from the higher authority*".

17. The learned counsel for the appellant sought an adjournment yesterday to produce on record an application for withdrawal of the L.P.A or any affidavit based upon which the L.P.A was withdrawn. This is because she argued that the L.P.A. was withdrawn due to a technical objection to the same.

18. After securing this adjournment, today, in this appeal, without seeking liberty of this Court, an affidavit has been filed by one Mr Anand Vardhan, who post facto explains that L.P.A No. 384 of 2025 was withdrawn because it was mentioned that the appellant was represented through its duly constituted attorney, Anand Vardhan, which was incorrect. Incidentally, this affidavit is filed by Mr Anand Vardhan himself.

19. Neither in the appeal memo nor in the I.A. seeking condonation of delay was such a reason pleaded. In any event, such a reason, belatedly offered, can never be accepted. If there was some technical difficulty, leave could have been sought to correct the same. But very categorically, the L.P.A was not pressed, and liberty was for availing of any other appropriate remedy, which, by implication, would mean a remedy other than an L.P.A.

20. In any event, this was not the reason stated in either the appeal memo or the application seeking condonation of delay. Such a reason is sought to be placed on the record in hindsight.

21. Learned counsel for the petitioner relied on **Jet Ply Wood Private Ltd. & Anr. Vs Madhukar Nowlakha & Ors., (2006) 3 SCC 699.** This decision speaks about the recall of an order by which a suit was permitted to be withdrawn without the grant of any liberty. The facts in this case offer no comparison whatsoever to those in the present case. Based on this decision, therefore, we cannot accept that any sufficient cause has been shown to explain the delay or to maintain this appeal.

22. At this stage, we feel pertinent to mention that the explanation

advanced by the appellant that the delay occurred on account of "procedural paraphernalia" and movement of files between different authorities is wholly untenable in law. The Hon'ble Supreme Court in **Postmaster General v. Living Media India Ltd., reported in AIR 2012 SC 1506** has categorically reiterated that the law of limitation is founded on public policy, fixing a lifespan for legal remedies to ensure that parties do not resort to dilatory tactics but avail their remedies promptly, for "*the laws come to the assistance of the vigilant and not of the sleepy*."

23. The Hon'ble Court in the said judgment expressly rejected the plea of delay arising from "impersonal machinery" and "procedural red-tape", holding that such explanations cannot constitute sufficient cause, particularly in an era of modern administrative capabilities. It was emphasized that in the absence of any plausible, acceptable, and cogent explanation, delay cannot be condoned. The present case stands on an even weaker footing, where the explanation is not only based on such impermissible grounds but is also conspicuously vague and bereft of material particulars.

24. The appellant is basically contesting an order made against a workman who has since retired during the pendency of the litigation. The workman was awarded some compensation, which the learned Single Judge has enhanced.

25. Thus, by keeping the matter pending, the appellant has virtually succeeded in depriving a workman of the dues determined in his favour. This is a case where utmost prejudice has already occasioned the workman, and, therefore, there is no scope for

granting any indulgence to the appellant.

26. For all the above reasons, we dismiss this application, and consequently, the accompanying appeal will not survive and is disposed of.

27. The Registry to pay the amount deposited by the applicant/appellant in this Court to the respondent no. 2 – workman, upon the learned counsel for the respondent no. 2 furnishing the identity and bank details. The amount should be transferred into the workman's account and not paid by any other mode.

28. All pending interlocutory applications also stand disposed of.

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

(Rajesh Shankar, J.)

April 29, 2026
Manish/Ritesh
N.A.F.R

Uploaded on 04.05.2026