IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 837 of 2025

Deepak Kumar Mishra, son of Late Binod Mishra, resident of Village Champi Nagar Nawadih, P.O.- Tirla, P.S.- Ichhak, District- Hazaribagh
... ... Appellant

Versus

1. The State of Jharkhand
2. The Deputy Commissioner, Hazaribagh
3. The Superintendent of Police, Hazaribagh
4. The Deputy Collector In-charge (General Section), Hazaribagh

... ... Respondents

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

For the Appellant : Mr. Prabhat Kumar Sinha, Advocate
Mr. Aditya Mazumdar, Advocate
For the Respondents : Mr. Yogesh Modi, A.C. to A.A.G.-IA

Order No. 03 **Dated: 21.09.2026**

I.A. No. 16937 of 2025

1. Heard learned counsel for the parties.

2. This application seeks condonation of delay of 599 days in filing the accompanying appeal.

3. The only reason set out in the I.A. is that the appellant was under the bona fide impression that W.P.(S) No. 5926 of 2018, in which the impugned order was made on 29.02.2024, was pending. It is pleaded that after the appellant enquired with his advocate in October 2025, he learned of the dismissal of the writ petition. At the outset, the ground raised appears self-serving and lacks any means of verification.

4. The appellant is either suggesting that his counsel did not immediately inform him of the dismissal of this petition on 29.02.2024 or admitting that he did not follow up with his counsel regularly.

5. The appellant has not apportioned any blame on his advocate, which means that the appellant was not diligent enough to pursue the matter. The delay of 599 days is substantial, and the only ground offered in the I.A. is far from substantial or even sufficient.

6. The Hon'ble Supreme Court, in **Basawaraj & Anr. Vs. Special Land Acquisition Officer**, reported in **(2013) 14 SCC 81** has categorically defined the phrase "sufficient cause" as an adequate reason for a party's absence or delay for which they cannot be held blameworthy, evaluated from the perspective of a reasonable and cautious person. To qualify, the party must show they did not act negligently, remain inactive, or act in bad faith. Courts must exercise judicious discretion based on the specific facts of each case to determine if the applicant has provided a satisfactory explanation for being prevented from prosecuting their case. Ultimately, the court must be convinced that the party's error or delay was genuine and not a deceptive device used to conceal an ulterior purpose before allowing an application for condonation of delay.

7. The I.A. also states that the appellant has good chance of success. If the delay is not condoned, he would suffer from irreparable loss and injury.

8. Unless the delay is condoned, there is no question of adverting to the merits of the matter. However, it is necessary to record that the appellant's father died in 2001 and the appellant applied for compassionate appointment in 2015, at which point he was

around 25 years old. The compassionate appointment was applied on the ground that the appellant's father was killed by the extremists.

9. The learned Single Judge, after referring to the material on record, has agreed with the respondents that the appellant's father was himself an extremist and his killing was on account of some internal strife among the extremists to gain supremacy within their organisation. The learned Single Judge has reasoned that the benefit of the government policy would not apply in such cases.

10. Accordingly, we do not think the statement that the appellant has good chances of success in the appeal is correct.

11. For all the above reasons, we dismiss the I.A. Accordingly, the accompanying appeal will not survive and is hereby dismissed. No order for costs.

12. If there are any other I.As., even they will not survive and are hereby disposed of.

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

(Rajesh Shankar, J.)

September 21, 2026
Manish/Ritesh
N.A.F.R

Uploaded on 23.09.2026