

(2026:JHHC:5694-DB)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 93 of 2026

Jitendra Kumar Jaisal, aged about 55 years, son of Late Jagga Prasad, resident of Husainabad, Japala, P.O.- Hussainabad, P.S.- Hussainabad, District- Palamau, Jharkhand.

.... Appellant

Versus

1. The State of Jharkhand through the Chief Secretary, Government of Jharkhand, having its office at Project Building, Dhurwa, P.O.- Dhurwa, P.S.- Jagarnathpur, Ranchi.
2. The Secretary, Department of Water Resources, having office at Nepal House, P.O.- Doranda, P.S.- Doranda, District- Ranchi.
3. The Deputy Secretary (Management), Department of Water Resources, having office at Nepal House, P.O.- Doranda, P.S.- Doranda, District- Ranchi.
4. The Under Secretary (Admin), Department of Water Resources, having office at Nepal House, P.O.- Doranda, P.S.- Doranda, District- Ranchi.
5. Chief Engineer, Department of Water Resources, having office at Nepal House, P.O.- Doranda, P.S.- Doranda, District- Ranchi.
6. Executive Engineer, Rural Development Special Division, Department of Rural Development, P.O.- Koderma, P.S.- Koderma, District- Koderma.

.... Respondents

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

For the Appellant : Mr. Indrajit Sinha, Advocate
Mr. Shivam Anand Pathak, Advocate
For the Respondents : Mr. Ratnesh Kumar, SC (L&C)-I
Mr. Rakesh Kumar Shahi, AC to SC(L&C)-I

Order No. 02

Dated 26.02.2026

1. Heard the learned counsel for the parties.
2. This appeal challenges, what we regard as an interim order dated 18.12.2025 passed in W.P.(S) No. 7515 of 2025.
3. Mr. Indrajit Sinha, learned counsel for the appellant, however, submits that from reading of the impugned order dated 18.12.2025, it appears that the appellant (original petitioner) has been non-suited on the

ground of delay and laches by relying upon the observations in “*P.S. Sadasivaswamy Vs. State of Tamil Nadu*, [(1975) 1 SCC 152]. He, however, submits that only a sentence from that decision is referred to without appreciating the statements that precede or follow such a statement. He submitted that sufficient cause had been shown by the petitioner in the present case and the same has not even been adverted to.

4. From the perusal of the impugned order, we are satisfied that the learned Single Judge has only expressed a *prima facie* opinion on the aspect of delay and laches. Accordingly, it is not as if the issue of the original petitioner's promotion from the date his juniors were promoted has been rejected *in limine*. The issue is still open, but the appellant will have to explain the objection based on delay and laches or such other objections, as may arise or may be raised on behalf of the respondents.
5. With the above clarifications, we dispose of this appeal without any order for costs.

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

(Rajesh Shankar, J.)

February 26, 2026
Ranjeet / R.Kr.
Uploaded on 26.02.2026