

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.2915 of 2026

M/s Baba Construction, a Proprietorship Firm, having its office at Plot No.GE-12, City Centre, Sector-IV, Bokaro Steel City, P.O. + P.S. Bokaro Steel City, District Bokaro, Jharkhand, through its Proprietor Ravi Shankar Pandey, son of Ramadhar Pandey, resident of Sector-IV, Bokaro City Centre, Padudi, District Bokaro, Jharkhand.

... .. **Petitioner**

Versus

1. Steel Authority of India Limited (SAIL), Bokaro Steel Plant, through its Chairman-cum-Managing Director, Ispat Bhawan, Bokaro Steel City, P.O. & P.S. Bokaro Steel City, District Bokaro, Jharkhand.
2. General Manager (Town Administration), Bokaro Steel Plant, Bokaro Steel City, P.O. + P.S. Bokaro Steel City.
3. Deputy General Manager (TA-Civil), Bokaro Steel Plant, Bokaro Steel City, P.O. + P.S. Bokaro Steel City.
4. Assistant General Manager (Tender Cell), Bokaro Steel Plant, Bokaro Steel City, P.O. + P.S. Bokaro Steel City.

... .. **Respondents**

CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Ram Badan Choubey, Advocate

For the Respondent(s) : Mrs. Prerna Jhunjhunwala, Advocate
 Mr. Indrajit Sinha, Advocate
 Mr. Akshay Singh, Advocate

03/ 27.04.2026

By filing this writ petition, the petitioner has prayed for the following reliefs:-

"(A) To issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents to forthwith release the petitioner's final bill amount of ₹2,70,000/- (Rupees Two Lakhs Seventy Thousand Only) and security deposit of ₹1,00,000/- (Rupees One Lakh Only), totaling ₹3,70,000/- (Rupees Three Lakhs Seventy Thousand Only), along with interest at 12% per annum from 29.04.2008 till the date of actual payment.

(B) Direct the respondents to produce the entire

records, files and communications relating to Agreement No.DGM/TA/TC/04-05/AGT-37 dated 05.08.2005 before this Hon'ble Court.

(C) Award costs of litigation of this petition in favour of the petitioner."

2. Heard learned counsel representing the petitioner and learned counsel representing the respondents.

3. An absolutely time barred claim is sought to be enforced by filing an application under Article 226 of the Constitution of India.

4. The aforesaid prayers of the writ petition clearly suggest that the petitioner - Firm is praying to release the final bill of Rs.2,70,000/- and security deposit of Rs.1,00,000/-, along with interest, which the petitioner-Firm was entitled to receive on 29.04.2008.

5. Admittedly, the final bill is of the year 2008 and after eighteen years the petitioner-Firm has approached this Court. The claim is hopelessly barred by limitation, as in respect of a money claim against the respondent, the period of limitation is three years.

6. Learned counsel representing the petitioner submits that the petitioner had filed several representations, but the respondents even after admitting, have not disbursed the amount.

7. Filing of representation and continuous filing of fresh representation, cannot extend the limitation.

8. In this case further, admittedly the admission of the respondents is sometime in the year 2008. From that date also, the claim of the petitioner-Firm is hopelessly barred.

9. The Hon'ble Supreme Court in the case of **Surjeet Singh Sahni Vs. State of Uttar Pradesh & Ors.** reported in **(2022) 15 SCC 536**, at para-8 has held as follows:-

"8. As observed by this Court in a catena of decisions, mere representation does not extend the period of limitation and the aggrieved person has to approach the Court expeditiously and within a reasonable time. If it is found that the writ petitioner is guilty of delay and laches, the High Court should dismiss it at the threshold and ought not to dispose of the writ petition by relegating the writ petitioner to file a representation and/or directing the authority to decide the representation, once it is found that the original writ petitioner is guilty of delay and laches. Such order shall not give an opportunity to the petitioner to thereafter contend that rejection of the representation subsequently has given a fresh cause of action."

9.1. Further, the Hon'ble Supreme Court in the case of **Damor Nanabhai Manabhai and Ors. Vs. State of Gujarat & Ors.** reported in **2025 SCC OnLine SC 3105**, vide para-8, disapproved the practice of seeking to revive stale or dead claims by the device of repeated representation. Para-8 of the said judgment is as follows :-

"8. This Court has repeatedly disapproved the practice of seeking to revive stale or dead claims by the device of repeated representations, followed by a prayer for a direction to "consider" and a consequential challenge to the order passed on such consideration. In Union of India v. M.K. Sarkar, (2010) 2 SCC 59, this Court held that even where a belated representation is

considered and rejected pursuant to a court's direction, the rejection does not furnish a fresh cause of action. The question of limitation, delay and laches has to be examined with reference to the original cause of action and not with reference to the date on which an order is passed on a representation in compliance with such a direction. We believe that a court or tribunal, before issuing a direction for "consideration" without examining the merits, must first satisfy itself that the claim relates to a live issue. If the claim pertains to a stale or dead issue, the court must put an end to the matter rather than enable avoidable, successive rounds of litigation."

10. Considering the admitted fact that the claim of the petitioner-Firm is hopelessly barred by limitation, which is eighteen years in this case, I am not inclined to exercise my writ jurisdiction under Article 226 of the Constitution of India.

11. Accordingly, this writ petition stands **dismissed**.

(ANANDA SEN, J.)

27th April, 2026
Prashant. Cp-2

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