

(2026:JHHC:1326-DB)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 178 of 2023
With
I.A. No. 2664 of 2025
With
I.A. No. 13660 of 2024

Faghuni Ram, aged about 54 years, son of Garibi Ram, resident of Village-
Bhandar, P.O. & P.S.- Bhandar, District- Gahwa.

.... Appellant

Versus

1. The State of Jharkhand
2. The Principal Secretary, Department of Water Resources, Govt. of Jharkhand, Nepal House, Doranda, P.O.& P.S.- Doranda, District- Ranchi.
3. The Joint Secretary, Department of Water Resources, Govt. of Jharkhand, Nepal House, Doranda, P.O.& P.S.- Doranda, District- Ranchi.
4. The Superintending Engineer, Waterways Circle, Garhwa, P.O.& P.S.- Garhwa, District- Garhwa.
5. The Executive Engineer, Waterways Circle, Garhwa, P.O. & P.S.- Garhwa, District- Garhwa.

... Respondents

6. Birbal Ram, son of Prasad Ram, resident of Village- Anarajna, Nabadih, P.O. & P.S.- Anarajna, Nabadih, District- Garhwa.
7. Ajay Chaudhary, son of Vishnu Chaudhary, resident of Village- Sahijana, P.O. & P.S.- Sahijana, District- Gahrwa.
8. Junai Ansari @ Sheikh, son of Karmatli Seikh, resident of Village- Anarajna, Nabadih, P.O. & P.S.- Anarajna, District- Garhwa.

.... Respondents

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

For the Appellant	:	Mr. Kanti Kumar Ojha, Advocate Mr. Sahja Nand Saraswati, Advocate
For the Resp.-State	:	Mr. Mithilesh Singh, GA-IV Mr. Anuj Bhurman, AC to GA-IV
For the Resp. Nos. 6 to 8	:	Mr. Pranjal Chaturvedi, Advocate

09/ 19.01.2026 Heard learned counsel for the parties.

2. This appeal challenges the learned Single Judges' judgment and order dated 13.02.2023, by which the appellant's writ petition, W.P.(S) No. 92 of 2017, seeking regularisation of his service was dismissed.

3. By I.A. No. 2664 of 2025, the appellant has sought for condonation of delay of 630 days in instituting this appeal. We have perused the reasons set out in this I.A. and we satisfied that in the peculiar facts of the

present case, the delay is to be condoned. The records show that the appellant had instituted this appeal by enclosing a plain copy of the impugned order hardly about 26 days beyond the prescribed period of limitation. However, there was some day in annexing the certified copy, resulting in the overall delay of 630 days. Therefore, it is not assumed that the petitioner was not diligent and was not diligently pursuing the matter. Upon the cumulative consideration of the above facts and circumstance, we condone the delay and dispose of I.A. No. 2664 of 2025.

4. Then, I.A. No. 13660 of 2024 seeks leave to produce certain additional documents on record. Since with the consent of the learned counsel for the parties, we are taking up the appeal itself for consideration, we propose to take up the I.A. for production of the documents along with the final hearing of the appeal.

5. Insofar as the main appeal is concerned, the records show that the appellant was engaged sometime between 1984 and 1992. His engagement was discontinued in 1992. From 1992 onwards, until the institution of W.P.(S) No. 92 of 2017, there are no pleadings, documents or records showing the appellant challenging his disengagement or seeking any relief of regularisation.

6. Thus, about 25 years after the appellant's disengagement, W.P.(S) No. 92 of 2017 was instituted, seeking a writ for the regularisation of services. There was no relief at all for setting aside the termination/disengagement, perhaps realising that even such relief could be hopelessly barred by delay and laches.

7. Learned Single Judge, in the impugned order, after considering the rival contentions in great detail, has held that there is nothing on record to

show that the appellant's engagement was by some competent authority or against any sanctioned post. That apart, what is crucial is that on the date of institution of the petition, this petitioner-appellant was not working as a daily wager, since his engagement had been discontinued almost 25 years earlier. Learned Single Judge expressed inability to grant the petitioner any relief, given these gross facts involving inordinate delay coupled with laches.

8. Learned counsel for the appellant, in the context of I.A. No. 13660 of 2024, seeking leave to produce additional documents, referred to a letter dated 23.06.2003, which, according to him, records that the disengagement of the petitioner was illegal.

9. We have perused the said communication, and we do not think that this letter declares the appellant's disengagement as illegal. This letter, perhaps, is in response to the appellant's representation forwarded by the Hon'ble Minister, and in this context, there is reference to the appellant's contention about his engagement being illegal.

10. In any event, even upon most liberal reading of the communication dated 26.03.2023, we do not think that the appellant has made out any case for grant of regularisation of his services, when admittedly, such services were discontinued in 1992 and the petition, in which the impugned order has been made, was instituted only in the year 2017 i.e. 25 years later. Besides, at this point in time and even otherwise, there are no documents to show the genesis of the appellant's so-called entry as a daily wager. There is no credible material or for that matter any material to show that the appellant's entry was based upon any appointment letter issued by a competent authority against the sanctioned post. The inaction between 1992 and 2017 is also indicative of acquiescence.

11. Learned counsel for the appellant relied upon a decision in the case of **Dharam Singh & Ors. Vs. State of U.P. & Anr.**, [2025 SCC OnLine SC 1735] to submit that the decision in the case of **Secretary, State of Karnataka vs. Uma Devi** [2006 (4) SCC 1] is not some charter for exploitation. Undoubtedly, Uma Devi [Supra] cannot be construed as a charter for exploitation. However, in Dharam Singh [Supra], the Hon'ble Supreme Court was dealing with the workers, who had been continued for more than a decade, even though their appointments could at best be regarded as 'irregular' and not 'illegal'. Besides, it was not a case where the workers had approached the Court almost 25 years after their disengagement or after discontinuance of their services. Therefore, based upon the decision in **Dharam Singh (supra)**, no relief can be granted to this appellant.

12. Thus, even after considering the documents on record, including the documents now sought to be produced by the appellant on record, we are satisfied that there is no case made out to interfere with the impugned judgment and order. There is no error in the view taken by the learned Single Judge that calls for interference in this appeal.

13. Accordingly, for the above reasons, we dismiss this appeal and dispose of the I.A. No. 2664 of 2025 and I.A. No. 13660 of 2024.

14. This appeal is dismissed.

15. The I.As, referred to above, are disposed of. No cost.

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

(Rajesh Shankar, J.)

January 19, 2026
Ranjeet / R.Kr.

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