

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Civil Review No. 42 of 2022

Uday Kumar Singh, S/o Late Deo Nandan Prasad, R/o Village-Chaudharry Chak, P.O.-Masthu, P.S.-Belchi, District-Patna at present R/o in the house of Vinod Sharma, Mohalla-Kewat Para (Rashikpur), P.O, P.S. & District-Dumka, Jharkhand

..... Petitioner

Versus

1. The State of Jharkhand
2. The Secretary, Animal Husbandry and Fishery Department, Government of Jharkhand, Ranchi
3. The Director-cum-Secretary, Animal Husbandry and Fishery Department, Government of Jharkhand, Ranchi
4. The Deputy Secretary, Animal Husbandry and Fishery Department, Government of Jharkhand, Ranchi
5. The Deputy Commissioner, Dumka
6. The Regional Director, Department of Animal Husbandry and Fishery, Santhal Pargana, Range Dumka, Dumka

..... Opp. Parties

CORAM

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner: Mr. Nikhil Ranjan, Advocate
For the Opp. Parties: Mr. Uttam Kumar Das, AC to G.P.-VI

05/25.03.2026

I.A. No. 3886 of 2026:

1. Heard learned counsel for the parties.
2. The present review petition was filed without any application seeking condonation of delay and only after the office pointed out that the review petition was barred by limitation, the present interlocutory application was filed in the year 2026.
3. The present interlocutory application seeks condonation of delay of purportedly 691 days in instituting this civil review. However, we are satisfied that the delay is over 1400 days.
4. In any event, we are also satisfied that no sufficient cause has been shown for even condoning the delay of 691 days in filing this review petition.

5. The petitioner instituted W.P. (S) No. 371 of 2009 which was dismissed on 30.01.2009.
6. After delay of 3235 days, which corresponds to approximately 8-9 years, the petitioner instituted L.P.A. No. 15 of 2018 along with I.A. No. 5327 of 2018 seeking condonation of delay.
7. Vide order dated 10.07.2018, learned Division Bench dismissed I.A. No. 5327 of 2018, thereby, declining to condone the delay of 3235 days in preferring the L.P.A. The petitioner has filed the present review petition on 16.06.2022 against the order dated 10.07.2018 again after considerable delay.
8. In the present interlocutory application, the explanation offered is that against the order dated 10.07.2018, the petitioner instituted S.L.P. (C) Diary No. 7378 of 2019. Even this S.L.P. was lodged beyond the prescribed period of limitation. The Hon'ble Supreme Court vide order dated 01.04.2019, condoned the delay in filing the S.L.P., but dismissed the S.L.P. filed against the order dated 10.07.2018.
9. Undeterred, the petitioner filed a review petition before the Hon'ble Supreme Court seeking review of the S.L.P. dismissal order dated 01.04.2019, which was also dismissed on 29.08.2019.
10. Almost after three years from dismissal of the review petition filed against the S.L.P. dismissal order, the present review petition has been filed seeking review of the order dated 10.07.2018.
11. The applicant has determined that the delay in filing the present review petition is of only 691 days by excluding the period between 15.03.2020 and 28.02.2022 relying upon the Hon'ble Supreme Court's order dated 10.01.2022 passed in the case of ***Re: Cognizance for Extension of Limitation [Suo Motu Writ Petition (C) No. 3 of 2020]***. This order was passed to reduce

the hardships of the litigants during the outbreak of COVID-19 pandemic.

12. The Hon'ble Supreme Court's order categorically states that in cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 01.03.2022.
13. In this case, the limitation period for filing the review petition expired in August, 2018 i.e., on 09.08.2018. Obviously, therefore, the petitioner cannot, relying on the Hon'ble Supreme Court's order, seek any exclusion of the period between 15.03.2020 till 01.03.2022 or 01.06.2022. Incidentally, this review petition was filed not even before 01.06.2022, but on 16.06.2022.
14. Thus, the delay in this case is not only of 691 days, but the same is approximately of three years. Even after adopting a very liberal approach, we are satisfied that no sufficient cause has been shown for condoning this inordinate delay. Accordingly, we decline to condone the delay and dismiss the present interlocutory application.

Civil Review No. 42 of 2022:

15. As a result, the present civil review petition will not survive and the same is accordingly disposed of.
16. No costs.

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

(RAJESH SHANKAR, J.)