

IN THE HIGH COURT OF JHARKHAND AT RANCHI

L.P.A. (Filing) No. 7907 of 2025

Sushil Kumar Appellant
Versus
State of Jharkhand and others Respondents

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

For the Appellant: Mr. Shubhashis Rasik Soren, Advocate
Ms. Shobha Gloria Lakra, Advocate
Ms. Mrinalini Adela Tete, Advocate
Ms. Preeti Hembrom, Advocate
Ms. Singi Sharon Demta, Advocate
For the State: Mr. Sahbaj Akhtar, AC to AAG-III
For Resp. No.5: Mrs. Monalisa Singh, Advocate

07/Dated: 05.05.2026

I.A. No. 9858 of 2025

1. Learned counsel for the applicant does not press this Interlocutory Application as such the same is disposed of.

I.A. No. 9606 of 2025 and I.A. No. 13811 of 2025

2. I.A. No. 9606 of 2025 seeks leave to appeal the learned Single Judge's order dated 11.07.2024 and I.A. No. 13811 of 2025 seeks condonation of delay of 338 days in instituting the appeal.

3. The applicant's case is that in pursuance of the learned Single Judge's order dated 11.07.2024, the applicant was transferred by order dated 2nd July, 2025.

4. Since, according to the applicant, the transfer is in pursuance of the learned Single Judge's impugned order, leave should be granted to the applicant to institute this appeal. The learned counsel for the applicant pointed out that the applicant was not even impleaded as a party in the main writ petition. The above contention is disputed by the learned counsel for the 5th respondent (original petitioner). She pointed out that the applicant's transfer, at the highest, affords the applicant an independent cause of action.

5. At this stage, we are required to consider *prima facie* whether the applicant is a mere busy body having no serious interest in the dispute now raised. Since, the applicant asserts that his transfer was in pursuance of the learned Single Judge's order, we grant the applicant leave to file this appeal and dispose of I.A. No. 9606 of 2025. However, the contention of the learned counsel for the 5th respondent about the maintainability of the appeal at the behest of the applicant is left open and will be considered at the stage of hearing on the admission of this appeal.

6. The delay in this case is explained by pointing out that the applicant was not even aware of the learned Single Judge's impugned order dated 11.07.2024 because the applicant was not even made a party to the writ petition in which this order was made. Learned counsel for the applicant contended that it is only after the transfer order dated 2nd July, 2025 was received by the applicant that he came to know of the learned Single Judge's impugned order dated 11.07.2024. After that, this appeal was filed on 16.07.2025.

7. Considering the explanation offered we believe that a case of sufficient cause has been made out by the applicant for condoning the delay. In such matters, length of the delay is only one of the considerations but a more crucial consideration is the cause shown.

8. Accordingly, we condone the delay and dispose of I.A. No. 13811 of 2025.

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9. List this appeal for Admission on 23rd June, 2026.

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

(Rajesh Shankar, J.)

May 05, 2026

APK/VK