

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
**L.P.A. No. 237 of 2026**

The State of Jharkhand and Another ... Appellants  
Versus  
Tapeshwar Nath Mishra ... Respondent  
**With**  
**L.P.A. No. 565 of 2025 with L.P.A. No. 568 of 2025**

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

For the Appellants: Mr Manoj Kumar, G.A.-III  
For the respondent: Mr Amaresh Kumar, Advocate

**03/Dated: 13.07.2026**

**I.A. No. 11878 of 2025 in L.P.A. No. 565 of 2025**

**I.A. No. 11880 of 2025 in L.P.A. No. 568 of 2025**

1. Heard Mr Manoj Kumar, learned G.A.-III, for the applicants/appellants and Mr Amaresh Kumar, learned counsel for the respondent in both these appeals.
2. In these appeals, the appellants have taken out IAs seeking condonation of delay of 81 days in filing the appeals.
3. We have perused the averments in the IAs and we are satisfied that sufficient cause has been shown for filing the appeals 81 days beyond prescribed period of limitation. Besides, even the delay, is not inordinate.
4. Accordingly, we condone the delay of 81 days in filing the accompanying appeals and dispose of the IAs.

**L.P.A. No. 237 of 2026**

5. I.A. No. 4807 of 2026 seeks condonation of delay of 320 days in filing the accompanying L.P.A. No. 237 of 2026.

6. This appeal challenges the order dated 20.12.2024 passed in W.P.(C) No. 7770 of 2011 which is similar to the orders made by the very same learned Single Judge disposing of W.P.(C) Nos. 6432 of 2011, 7783 of 2011 and W.P.(C) No. 6512 of 2011.
7. L.P.A. No. 565 of 2025 and L.P.A. No. 568 of 2025 filed against the orders made in the connected two writ petitions after delay of 81 days. By separate orders, the delay in filing these two appeals have been condoned.
8. In Paragraph 7 and 8 of I.A. No. 4807 of 2026 is pleaded that the directions were issued for filing the appeals in the connected matters. However, the appeals were filed only in three matters and by inadvertence, an appeal remained to be filed in the present matter. He submitted that this was a *bona fide* mistake and that the State had nothing to gain from either not filing this appeal or delaying its filing, when the connected appeals had already been filed.
9. Learned counsel for the respondent submits that this is a case of negligence on the part of the State, and the State's conduct does not entitle it to condonation of delay of 320 days in filing this appeal.
10. On considering the rival contentions and perusing the averments in the I.A., we are satisfied that sufficient cause has been shown to explain the delay in filing this appeal.
11. In these three analogous matters, appeals were filed by the State, though with the delay. In two of these matters, the delay of

81 days has already been condoned. The 3<sup>rd</sup> matter is on the Board; however, notices have yet to be served on the respondents; therefore, the I.A. seeking condonation of delay of 81 days herein could not be considered.

12. The explanation that directions were for filing of appeals in all matters but by way of inadvertence appeals were filed in three matters and remained to be filed in the present matter does appear to be *bona fide*. The State has not gained anything by failing to file the appeal in this matter or by delaying its filing.
13. Overall, the conduct of the State does not show negligence or even indolence. In such matters, length of the delay is only one of the considerations, but the quality of the explanation is crucial. Here, we are satisfied that sufficient cause has been shown. Accordingly, we condone the delay and dispose of I.A. No. 4807 of 2026.
14. List this appeal along with L.P.A. No. 565 of 2025 with L.P.A. No. 568 of 2025 for "Admission" on 4<sup>th</sup> August, 2026.

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

**(Rajesh Shankar, J.)**

July 13, 2026

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