**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

THURSDAY, THE NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH**
**AND**
**THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

**IA.No.1 OF 2025**
**IN/AND**
**WRIT APPEAL NO: 1525 OF 2025**

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order Dated 18/03/2025 in W.P.No.45687 of 2018 on the file of the High Court.

**Between:**

1. Singareni Collieries Company Limited, (A Government Company) Singareni Bhavan, Red Hills Represented by its Chairman and Managine Director,
2. Director (PA and W), Singareni Collieries Company Limited, Kothagudem Collieries 507 101 Kothagudem, Khammam District.
3. General Manager (Personnel), (RC,IR and PM), Singareni Collieries Company Limited, (A Government Company) Kothagudem collieries (PO) 507101 Bhadradri Kothagudem District

**...APPELLANTS/RESPONDENTS**

**AND**

Md.Amzad, S/o Md.Ankoos, aged 32 years e/o H.No. 16-2-171/2, Shivaji Nagar, Godavarikhani Ramagundam Mandal, Peddapalli District

**...RESPONDENT/PETITIONER**

**I.A. NO: 1 OF 2025**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to condone the delay of 236 days in filing the Writ Appeal against the order dated 18.03.2025 passed in WP.No.45687 of 2018 in the interest of Justice.

**I.A. NO: 2 OF 2025**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation order dated 18.03.2025 assed in Writ Petition No.45687 of 2018 pending disposal of the Writ Petition in the interest of justice.

**Counsel for the Appellants: SRI P.SRI HARSHA REDDY, SC FOR SINGARENI COLLIERIES CO LTD**

**Counsel for the Respondents: SRI B.BALAJI FOR SRI MEKALA GOUTHAM KUMAR**

**The Court made the following: COMMON JUDGMENT**

**IN THE HIGH COURT FOR THE STATE OF TELANGANA**
**AT HYDERABAD**

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH**
**AND**
**THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN**

**I.A.No.1 of 2025**
**in/and**
**WRIT APPEAL No.1525 of 2025**

**DATE: 09.04.2026**

**Between:**

The Singareni Collieries Company Limited,
Rep. by its Chairman & Managing Director
and 2 others

**....Appellants**

**And**

Md Amzad

**....Respondent**

**JUDGMENT**

Heard Sri P.Sri Harsha Reddy, learned Standing Counsel for Singareni Collieries Company Limited for appellants and Sri B.Balaji, learned counsel representing Sri M.Goutham Kumar, learned counsel for the respondent and perused the record.

**2.** This Interlocutory Application *vide* I.A.No.1 of 2025, is filed by the appellants seeking condonation of delay of 236 days in preferring the accompanying writ appeal. The said writ appeal is directed against the order dated 18.03.2025 passed by the learned Single Judge in W.P.No.45687 of 2018, whereby the writ petition came to be allowed and the appellants were directed to reconsider the respondent's (writ petitioner) case for appointment to the post of Motor Mechanic Trainee Category-I under Notification No.2 of 2015.

**3.** Before entering upon the merits of the Writ Appeal, it becomes necessary to examine the issue of limitation, as the appeal is presented with a delay of 236 days. Such delay, being *prima facie* significant, calls for a careful consideration and cannot be treated as a matter of routine.

**Factual matrix (in brief)**

**4.** The respondent pursuant to Employment Notification No.2 of 2015 issued by the appellant-Company applied for the post of Motor Mechanic Trainee, Category-I (External). A written test was conducted on 18.12.2016, in which the respondent secured 48.88 marks. Due to certain litigations filed by ineligible candidates, the finalization of the selection list was delayed. Consequently, this Court directed the appellant-Company to declare the results. Accordingly, a provisional selection list was displayed on 05.06.2017.

**5.** For the posts under the BC-'B' category, three candidates were selected based on merit. The details of the selected candidates are extracted hereunder:

| S.No | Hall Ticket | Name | Marks | Caste |
|---|---|---|---|---|
| 10 | 6300047 | Balram Samala, Karimnagar | 52.22 | B.C.B |
| 24 | 6300108 | Aldandi Nageraju, Warangal | 50.00 | B.C.B |
| 35 | 6300131 | Shareef SK, Warangal | 50.00 | B.C.B |

**6.** The 3rd selected candidate one Shareef SK, did not join the post. The respondent, being the next meritorious candidate in the BC-'B' category with 48.88 marks, staked a claim to the unfilled vacancy. The respondent submitted a representation to the appellants on 13.08.2018, requesting that his candidature be considered for the said vacant post. When the respondent's representation was not acted upon, the respondent filed W.P. No. 35078 of 2018 before this Court, which was disposed of by an order dated 01.10.2018, wherein a learned Single Judge of this Court directed the appellants to consider the representation dated 13.08.2018. In compliance with the order dated 01.10.2018, the 3rd appellant passed a speaking order on 24.11.2018 (Ref.No.CRP/PER/R/05/2018/1086), rejecting the respondent's candidature.

**7.** The sole ground for rejection, as stated in the speaking order, was that the respondent's representation was submitted after the expiry of the panel validity period. As per the appellants, the merit/selection list was valid for a period of one year, i.e., from 10.06.2017 to 09.06.2018, whereas the respondent's representation was made on 13.08.2018, nearly two months after the panel had lapsed. Aggrieved by the speaking order dated 24.11.2018, the respondent filed W.P.No.45687 of 2018 seeking a direction to set aside the said order and to consider his case for appointment.

**8.** The Learned Single Judge, by an order dated 18.03.2025, allowed the writ petition and held that the appellants had failed to consider the respondent's candidature despite him being the next meritorious candidate and a vacancy having arisen. The learned Single Judge observed that the inaction of the appellants during the validity period of the merit list caused procedural unfairness.

**9.** Aggrieved by the said order, the appellants-Company has preferred the present writ appeal along with I.A.No.1 of 2025 seeking condonation of delay in filing the appeal.

**Submissions on behalf of the appellants**

**10.** Learned counsel for the appellants, while seeking condonation of delay of 236 days in filing the writ appeal arising out of the order dated 18.03.2025 passed in W.P.No.45687 of 2018, advanced the following submissions:

i) That the delay involved is minimal, *bona fide* and neither intentional nor willful. It is stated that the order under appeal, dated 18.03.2025, was received by the appellants on 23.04.2025. Thereafter, since the appellants are a Public Sector Undertaking, the matter had to be processed at various administrative levels and approval of the competent authority was required before a decision could be taken to prefer the appeal.

ii) That the delay occurred only on account of the time consumed in completion of the internal administrative process. The appellants were required to obtain approval from the competent authority before filing the appeal and such procedural requirements in a large Government undertaking necessarily consume some time and that the delay cannot be attributed to any deliberate inaction, negligence or want of *bona fides* on the part of the appellants.

iii) That condonation of such a short delay would not cause any prejudice whatsoever to the respondent. On the contrary, refusal to condone the delay would deprive the appellants of an opportunity to prosecute the appeal on merits and would result in serious prejudice to them.

iv) It is settled law that where the delay is minimal and satisfactorily explained, the Courts ought to adopt a liberal and pragmatic approach so as to advance justice rather than defeat it on technical grounds. That the appellants have a *prima facie* arguable case on merits, inasmuch as the respondent had submitted his representation after expiry of the one-year validity period of the merit list, i.e., from 10.06.2017 to 09.06.2018, and the speaking order impugned in the writ petition was passed strictly in accordance with the applicable Recruitment Rules.

**Submissions on behalf of respondent**

**11.** Learned counsel for respondent opposed the application for condonation of delay and advanced the following submissions:

i) That the explanation offered by the appellants is vague, general and wholly insufficient as the appellants have merely attributed the delay to "administrative reasons" and the requirement of obtaining approval from the competent authority, without furnishing any specific particulars, dates or details as to the movement of the file or the stages at which the matter was delayed. It is urged that such a bald and omnibus explanation does not satisfy the requirement of establishing "sufficient cause".

ii) That the appellants have exhibited lack of due diligence. Though the impugned order was passed on 18.03.2025 and is stated to have been received on 23.04.2025, the appeal has been presented only on 29.12.2025. The substantial intervening period remains unexplained.

iii) That condonation of delay would seriously prejudice the respondent as the learned Single Judge has granted relief in favour of the respondent by directing reconsideration of his case, and a valuable right has accrued in his favour. Interference at this stage, by condoning the delay, would

unsettle the said relief and cause manifest injustice to the respondent, who has been pursuing his claim for a considerable period.

iv) That the learned Single Judge rightly appreciated the facts, noting that one of the selected BC-'B' candidates did not join and the respondent, being the next meritorious candidate, was entitled to consideration. It is contended that the appellants cannot take advantage of delays in the selection process not attributable to the respondent. It is further submitted that the inaction of the appellants during the validity period of the merit list (10.06.2017 to 09.06.2018), despite being aware of the vacancy, amounts to procedural unfairness and cannot defeat the respondent's claim.

v) That the respondent acted diligently by making a representation and pursuing legal remedies without delay. The rejection of his claim on the ground of expiry of the panel period is stated to be arbitrary and hyper-technical, particularly in view of the appellants' own inaction.

**12.** We have taken note of the respective contentions urged and perused the material on record.

**Consideration by this Court**

**13.** The fundamental question that falls for consideration before this Court is whether the appellants have made out any "sufficient cause" for condoning the inordinate delay of 236 days in preferring the present writ appeal against the order dated 18.03.2025 passed in W.P.No.15687 of 2018.

**14.** It is trite that though Courts are inclined to adopt a liberal and pragmatic approach in matters of condonation of delay, such discretion is not excessive. The party seeking condonation must demonstrate that the delay was neither intentional nor due to negligence, and must furnish a reasonable, cogent and satisfactory explanation covering the entire period of delay. The expression "sufficient cause" cannot be construed in a routine or mechanical manner.

**15.** On a careful consideration of the material on record, we are of the considered view that the explanation offered by the appellants falls short of the legal requirement of "sufficient cause", for the following reasons:

i) The explanation offered by the appellants is vague, general and bereft of material particulars, as it has merely averred that the impugned order was received on 23.04.2025 and that approval from the competent authority was required, resulting in delay

due to "administrative reasons." However, no details are furnished as to when the file was placed before the competent authority, the stages through which it moved, the time taken at each stage, or the circumstances which occasioned the delay between 23.04.2025 and 29.12.2025. In the absence of such particulars, the explanation remains a bald assertion and does not satisfy the requirement of establishing "sufficient cause."

ii) The conduct of the appellants reflects lack of due diligence as the order under appeal was passed on 18.03.2025 and, even accepting that it was received on 23.04.2025, the appeal has been filed only on 29.12.2025, after a lapse of more than eight months. The intervening period remains wholly unexplained, which cannot be countenanced.

iii) The appellants, being a Government Company, cannot claim any special indulgence. It is well settled that public sector undertakings are expected to act with due promptitude and cannot rely on routine administrative procedures as a ground for condonation of delay, in the absence of a proper and satisfactory explanation supported by particulars. As held by the Hon'ble Supreme Court in ***Postmaster General v. Living Media India Ltd.***[1], delays attributed merely to impersonal

[1] (2012) 3 SCC 563