**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 2026
IN/AND
WRIT APPEAL NO: 53 OF 2026**

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 24/01/2025 Passed in WP.No.30349 of 2023 on the file of the High Court.

Between:

1. The Singareni Collieries Company Limited, Rep. by its Chairman and Managing Director Singareni Bhavan, Lakdikapool, Redhills, Hyderabad -500 004 (TS).
2. The Director (Personal Welfare and Administration), The Singareni Collieries Company Limited, Head Office, Kothagudem Collieries - 507 101, Bhadradri-Kothagudem Dist. (TS).
3. The General Manager (Personnel) IR and PM, The Singareni Collieries Company Limited, Head Office, Kothagudem Collieries - 507 101, Bhadradri-Kothagudem Dist. (TS).
4. The General Manager The Singareni Collieries Company Limited, Ramagundam III Area, Ramagundm, Centenary Colony, Peddapalli District -505 212 (TS).

...APPELLANTS/RESPONDENTS

AND

Y. Radha Krishna S/o. Suryaprakash Rao, Aged about 57 years, EC No. 1429037, Occ. Fitter, OCP-I CHIP, The Singareni Collieries Company Limited, Ramagundam-3 Area, R/o. Qtr. No. T2-77, 8-Incline Colony - 505 211, Godavarikhani, Peddapalli District (TS).

...RESPONDENT/PETITIONER

I.A. NO: 1 OF 2026

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 250 days in filing the Writ Appeal against the order dated 24.01.2025 passed in WP No. 30349 of 2023 in the interest of justice.

I.A. NO: 2 OF 2026

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 24.01.2025 passed in Writ Petition No. 30349 of 2023 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 KALLEPALLI THIRUMALA RAO

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 2026
in/and
WRIT APPEAL No.53 of 2026

DATE: 09.04.2026

Between:

The Singareni Collieries Company Limited,
Rep. by its Chairman & Managing Director
and 3 others

....Appellants

And

Y. Radha Krishna **....Respondent**

JUDGMENT

Heard Sri P.Sri Harsha Reddy, learned Standing Counsel for Singareni Collieries Company Limited for appellants and Sri K.Thirumala Rao, learned counsel for respondent and perused the record.

2. This Interlocutory Application *vide* I.A. No.1 of 2026, is filed by the appellants seeking condonation of delay of 250 days in preferring the accompanying writ appeal. The said writ appeal is directed against the order dated 24.01.2025 passed by the learned Single Judge in W.P.No.30349 of 2023, whereby the writ petition came to be allowed and the appellants were directed to extend the benefit of pay parity to the respondent (writ petitioner) by stepping up his salary on par with his junior, Sri D. Venkat Reddy.

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 250 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 was appointed as a Fitter Trainee in the appellants–Company on 23.07.1989 and was subsequently promoted to Fitter Helper (Category-II) on 23.10.1990, Fitter (Category-IV) on 03.10.1991, Fitter (Category-V) on 01.03.1995. Respondent's grievance is that his junior, one D. Venkat Reddy, appointed on 26.08.1990, is drawing higher basic pay. The disparity is stated to have arisen as the said junior received both an annual increment and a promotional increment in the year 1995, whereas the respondent was granted only a promotional increment. The respondent sought rectification of the said anomaly by way of representation on 06.11.2017, which came to be rejected by the appellants *vide* proceedings dated 25.12.2017 on the ground that there were no applicable guidelines under the JBCCI for such rectification.

5. Aggrieved thereby, the respondent filed W.P.No.30349 of 2023, which was allowed by the learned Single Judge by order dated 24.01.2025, setting aside the rejection order and directing the appellants to extend pay parity to the respondent on par with his junior.

6. Aggrieved by the said order, the appellants-Company has preferred the present writ appeal along with I.A.No.1 of 2026 seeking condonation of delay in filing the appeal.

Submissions on behalf of the appellants

7. Learned counsel for the appellants, while seeking condonation of delay of 250 days in filing the writ appeal arising out of the order dated 24.01.2025 passed in W.P.No.30349 of 2023, advanced the following submissions:

i) That the certified copy of the order of the learned Single Judge, dated 24.01.2025, was received by the appellants on 12.04.2025. Thereafter, the matter was processed through the requisite official channels in the appellants–company, namely the Singareni Collieries Company Limited (SCCL). The General Manager, Ramagundam-III Area, is stated to have initiated a note on 28.04.2025 seeking approval from the competent authority for preferring a writ appeal, and the final approval for filing the appeal was accorded on 19.06.2025.

ii) That the delay occasioned is not gross or deliberate, but is attributable to the procedural requirements inherent in a public sector undertaking. It is urged that the delay of 250 days is on account of such administrative processing.

iii) That the delay is neither intentional nor willful, but has occurred due to *bona fide* administrative reasons, as the the appellants were required to follow due procedure in obtaining necessary approvals, and the same inevitably consumed time. It is contended that the appellants have a substantial case on merits, particularly having regard to the issues arising out of service jurisprudence, and that no prejudice would be caused to the respondent if the delay is condoned and the matter is adjudicated on merits.

iv) That the order of the learned Single Judge gives rise to substantial questions of law, including the interpretation of service rules governing employees of the appellants-Company; the applicability of the guidelines issued by the JBCCI; and the scope and application of the principle of "equal pay for equal work" in the context of pay fixation and time-bound promotional schemes, as was considered by the learned Single Judge while directing parity of pay with the junior employee.

Submissions on behalf of respondent

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

i) That the delay of 250 days, as stated by the appellants, is inordinate and wholly inexcusable and the explanation is incomplete and fails to account for the entire period of delay. It is pointed out that though the order was passed on 24.01.2025 and is stated to have been received on 12.04.2025, there is no explanation whatsoever for the period between 12.04.2025 and 28.04.2025, when the file was allegedly initiated, nor is there any explanation for the substantial period between 19.06.2025, when approval was allegedly granted, and the actual filing of the appeal on 07.01.2026. This unexplained gap of more than six months, is fatal to the case of the appellants.

ii) That by allowing such a long delay to occur, the appellants have, accepted the judgment of the learned Single Judge dated 24.01.2025, under which the respondent was granted the benefit of stepping up of pay on par with his junior. It is further submitted that the respondent, who is due to retire on 31.08.2027, has gained a vested right to receive the benefits of the said order, and any interference at this stage would cause serious prejudice and irreparable loss to him.

iii) That the reasons assigned by the appellants do not constitute "sufficient cause" within the meaning of Section 5 of the Limitation Act, 1963. The requirement of obtaining internal approvals, is a matter entirely within the control of the appellants and cannot be put forth as a ground for condoning an inordinate delay.

iv) That the merits of the case cannot be taken into consideration while deciding an application for condonation of delay. The scope of inquiry at this stage is confined to the existence of "sufficient cause" for the delay, and the strength or otherwise of the case on merits is wholly irrelevant. It is urged that the absence of a satisfactory explanation covering the entire period of delay, the application is liable to be dismissed.

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

Consideration by this Court

10. 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 250 days in preferring the present writ appeal against the order dated 24.01.2025 passed in W.P.No.30349 of 2023.

11. 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.

12. 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 chronology furnished by the appellants is wholly inadequate, as the order under challenge was passed on 24.01.2025, the appellants claim to have received a copy thereof on 12.04.2025. It is stated that a note was initiated on 28.04.2025 and approval was obtained on 19.06.2025. However, the appeal came to be filed only on 07.01.2026. There is a substantial and unexplained gap of more than six months between June, 2025 and January, 2026. The affidavit filed in support of the application is conspicuously silent as to the steps taken during this period. There is no explanation whatsoever for the delay in presentation of the appeal. Such lack of diligence and absence of material particulars is fatal to the application.

ii) The explanation sought to be offered on the ground of administrative processing and obtaining approvals within the appellants–Company cannot, by itself, constitute sufficient cause. It is well settled that internal procedural requirements or movement of files within a department are internal matters of the appellants and cannot be treated as a valid justification for condoning an inordinate delay, in the absence of a specific and satisfactory explanation for each stage. A public sector undertaking is expected to act with due promptitude and cannot claim any special indulgence in this regard. As held by the Hon'ble Supreme Court in ***Postmaster General v. Living Media India Ltd.***[1], delays attributed merely to impersonal administrative procedures, movement of files, or bureaucratic processes cannot be accepted as sufficient cause. In the absence of a reasonable, satisfactory, and *bona fide* explanation for the delay, the routine plea of procedural red tape or pendency of files for prolonged periods does not merit acceptance.

iii) The delay in the present case is inordinate as the appellants have approached this Court after a lapse of more than eleven months from the date of the impugned order. Meanwhile, the respondent, who is nearing superannuation, would have legitimately expected implementation of the order passed in his favour directing pay parity. Entertaining such a belated challenge would not only unsettle the rights accrued to the respondent but would also undermine the principle of finality of litigation.

iv) The contention of the learned counsel for the appellants with regard to the merits of the case does not merit consideration at this stage. The issue of condonation of delay stands on an

[1] (2012) 3 SCC 563

independent footing. It is well settled that the merits of the case cannot be a substitute for explaining the delay. It is pertinent to note that the Hon'ble Supreme Court in ***Esha Bhattacharjee v. Managing Committee of Raghunathpur Nafar Academy***[2] while reiterating the view taken in ***Vedabai v. Shantaram Baburao Patil***[3] has held that the consideration of prejudice caused to the other side will be a relevant factor in the condonation of delay, when the delay is inordinate in nature.

Conclusion

13. For the foregoing reasons, this Court is of the considered view that the appellants have failed to establish any "sufficient cause" for condonation of the inordinate and unexplained delay of 250 days in filing the writ appeal.

14. Accordingly, I.A.No.1 of 2026 is dismissed and the Writ Appeal is dismissed.

As a sequel, miscellaneous petitions, pending if any, stand closed. No costs.

[2](2013) 12 SCC 649
[3](2001) 9 SCC 106

SD/- MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI P.SRI HARSHA REDDY, SC FOR SINGARENI COLLIERIES CO LTD. [OPUC]
2. One CC to SRI KALLEPALLI THIRUMALA RAO, Advocate [OPUC]
3. Two CD Copies

PSK.
TKS

HIGH COURT

DATED: 09/04/2026

COMMON JUDGMENT

IA.No.1 OF 2026
IN/AND
WA.No.53 of 2026

DISMISSING THE IA AND WRIT APPEAL WITHOUT COSTS

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