

IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P. No. 621 of 2023

Mostt Rani Devi

.....

Petitioner

Versus

The Union of India through General Manager, Eastern Railway,
Kolkata

.....

Opp. Parties

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner

: Mrs. Chaitali Chatterjee Sinha, Advocate

For the UOI

: Mr. Ravi Prakash, CGC

04/Dated:21st June, 2024

I.A. No.3823 of 2024

This interlocutory application has been filed under Section 5 of the Limitation Act on behalf of the petitioners for condonation of delay of 262 days in filing the present Civil Miscellaneous Petition.

2. Having heard the learned counsel for both the parties and in view of the averments made in paragraph nos.5 to 9 of this interlocutory application, the delay of 262 days in filing the present Civil Miscellaneous Petition is condoned.

3. Accordingly, I.A. No.3823 of 2024 is allowed and stands disposed of.

C.M.P. No.621 of 2023

4. This C.M.P. No.621 of 2023 has been filed on behalf of the petitioner for restoration of M.A No.228 of 2011 which stood dismissed vide order dated 29.07.2022 due to non-compliance of the order dated 30.06.2022 passed by Hon'ble Mr. Justice Anil Kumar Choudhary by not depositing the cost of Rs.1000/- with Jharkhand State Legal Services Authority (JHALSA).

5. Learned counsel for the petitioner submitted that she is ready to deposit cost of Rs.1000/- in Jharkhand State Legal Services Authority (JHALSA) within two weeks after restoration of the M.A No.228 of 2011. It is further submitted that the petitioner is a poor lady and she

was not aware of the technicalities and hence M.A No.228 of 2011 may be restored.

6. On the other hand, no objection has been raised by the learned counsel for the opposite party.

7. Having heard the learned counsel for the parties and in view of the averments made in paragraph nos.7 to 11 of the C.M.P. No.621 of 2023, the prayer for restoration of M.A No.228 of 2011 is allowed.

8. Accordingly, C.M.P. No.621 of 2023 is allowed and M.A No.228 of 2011 is restored to its original file, subject to payment of cost of Rs.1000/- to be deposited before the Jharkhand State Legal Services Authority (JHALSA) within two weeks from today.

9. Office is directed to place the matter before the appropriate Bench as per Roster.

(Sanjay Prasad, J.)