

IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No. 616 of 2023

....

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

.....**Petitioner**

Versus

1. Ramdhani Bediya
2. Dhaneshwar Bediya
3. Sunder Bedia
4. The Deputy Commissioner, Hazaribagh

..... **Opp. Parties**

CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD

For the Petitioner : Mr. Bakshi Vibha, Advocate
For the Opp. Party No. 4: Mrs. Mohini Gupta, AC to SC Mines-I

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I. A. No. 9757 of 2023

04/19.06.2024 I. A. No. 9757 of 2023 has been filed on behalf of the petitioner under Section 5 of the Limitation Act for condoning of the delay of 1 day in filing this C.M.P. No. 616 of 2023.

2. Having heard learned counsel for both the sides and in view of the averments made in paragraph 4 to 6 of this instant I. A. No. 9757 of 2023, the delay of 1 day in filing this C.M.P. No. 616 of 2023 is hereby condoned.

3. Thus, I. A. No. 9757 of 2023 is allowed and stands disposed of.

C.M.P. No. 616 of 2023

4. This C.M.P has been filed on behalf of the petitioners for restoration of F. A. No. 87 of 2016 which stood dismissed on 17.04.2023 for non-compliance of the order dated 20.03.2023 passed by Justice Anil Kumar Choudhary.

5. It appears from the record that none had appeared on

behalf of the opposite party nos. 1 to 3 in the connected F.A. No. 87 of 2016.

6. Learned counsel appearing on behalf of the Deputy Commissioner, Hazaribagh is present.

7. Having heard learned counsel for both the sides and in view of the averments made in paragraph 6 and 7, the prayer for restoration of F. A. No. 87 of 2016 is allowed.

8. Thus, C.M.P. No. 616 of 2023 is allowed and F. A. No. 87 of 2016 is restored to its original file.

9. Office to place F.A. No. 87 of 2016 before an Appropriate Bench as per roster.

10. Defects, as pointed out by the office, may be removed within one week from today by filing an inspection slip in the office and the office will permit the petitioner to remove the defects by sending the file for inspection before the office of the Court.

(Sanjay Prasad, J.)

Kamlesh/