

IN THE HIGH COURT OF JHARKHAND AT RANCHI

S.A. No. 4 of 2019

Md. Safique and Ors.	...	...	Appellants
	Versus		
Md. Hashim and Ors.	...	...	Respondents

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellants	: Mr. A.K. Sahani, Advocate
For the Respondents	: Mr. Nehru Mahto, Advocate

13/09.04.2025 As per the office note, the respondent no.2 declined to accept notice.

2. Accordingly, the service of notice upon respondent no.2 is complete.

3. So far as respondent nos.3 and 4 are concerned, the notice having been served upon them through their daughters-in-law and upon respondent nos.5 and 6 through their wives. Accordingly, notice upon them is accepted as validly served.

4. The learned counsel for the respondent no.1 has appeared by filing vakalatnama.

I.A. No.7758 of 2019

5. This petition has been filed seeking condonation of delay of 24 days in filing the present appeal.

6. The learned counsel for the appellants has submitted that due to paucity of fund and lack of legal knowledge, the appellants could not file the appeal in time and there was no deliberate laches on the part of the appellants.

7. The learned counsel for the contesting respondent no.1 has opposed the prayer and submitted that the appellants have sufficient means and they are not appearing in Execution Case No.82 of 2017 and their non-appearance amounts to harassment of the respondent no.1.

8. At this, the learned counsel for the appellants has submitted that the appellants have already appeared in the Execution Case and has filed objection.

9. After hearing the learned counsels for the parties and being satisfied with the cause shown by the appellants for condonation of delay of short period of 24 days in filing the second appeal, I.A. No.7758 of 2019 seeking condonation of delay, is hereby allowed.

10. At the request of the learned counsel for the appellants, let this matter be placed for “Hearing” under Order XLI Rule 11 CPC on 16.04.2025.

(Anubha Rawat Choudhary, J.)

Saurav/