

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F. A. No. 48 of 2024

General Manager (L & R), Central Coalfields Limited.

... ... **Appellant**

Versus

Aliyas Ansari and Ors.

... ... **Respondents**

With

F. A. No. 51 of 2024 ; F.A. No. 57 of 2024
F.A. No. 59 of 2024 ; F. A. No. 60 of 2024
F.A. No. 61 of 2024 ; F.A. No. 63 of 2024
F.A. No. 64 of 2024

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

11/26.08.2025

1. Learned counsel for the appellant Mr. Amit Kumar Das is present.

2. Learned counsel for the respondents is also present.

I.A. No. 3071 of 2025 in F.A. No. 51 of 2024.

3. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 264 days as pointed out by the office, but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 501 days.

4. The learned counsel has submitted that the impugned judgment was passed on 28.07.2022 and certified copy was applied on 06.08.2022 which could be obtained after preparation of decree on 10.04.2023 and after going through the records the required approval of competent authority was obtained on 07.12.2023 and ultimately, it was filed on 16.03.2024.

5. The learned counsel has submitted that the judgment, on the basis of which the impugned judgment has been passed, has itself been modified by this Court in First Appeal No. 596 of 2014 and other analogous matters and therefore, very basis of the impugned judgment

does not survive any more. He submits that all the persons are required to be equally treated. The learned counsel submits that the delay in filing this first appeal be condoned.

6. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

7. After hearing the learned counsel for the parties and considering the averments made in the petition seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

8. It is not in dispute that respondents belong to the same family.

9. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

10. I.A. No. 3071 of 2025 is hereby allowed.

I.A. 3074 of 2025 in F.A. No. 48 of 2024

11. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 264 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 501 days.

12. The learned counsel has submitted that the impugned judgment was passed on 28.07.2022 and certified copy was applied on 06.08.2022 which could be obtained after preparation of decree on 10.04.2023 and after going through the records the required approval of competent authority was obtained on 07.12.2023 and ultimately, it was filed on 16.03.2024.

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14. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

15. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

16. It is not in dispute that in respondents belong to the same family.

17. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

18. I.A. No. 3074 of 2025 is hereby allowed.

I.A. 3062 of 2025 in F.A. No. 57 of 2024

19. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 278 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 382 days.

20. The learned counsel has submitted that the impugned judgment was passed on 30.11.2022 and certified copy was applied on

02.12.2022 which could be obtained after preparation of decree on 10.04.2023 and after going through the records the required approval of competent authority was obtained on 07.12.2023 and ultimately, it was filed on 16.03.2024.

21. The learned counsel has submitted that the judgment, on the basis of which the impugned judgment has been passed, has itself been modified by this Court in First Appeal No. 596 of 2014 and other analogous matters and therefore, very basis of the impugned judgment does not survive any more. He submits that all the persons are required to be equally treated. The learned counsel submits that the delay in filing first appeal be condoned.

22. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

23. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

24. It is not in dispute that in respondents belong to the same family.

25. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

26. I.A. No. 3062 of 2025 is hereby allowed.

I.A. 3060 of 2025 in F.A. No. 59 of 2024

27. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 278 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified

copy and consequently the office has recalculated the delay from the date of the judgment which is 382 days.

28. The learned counsel has submitted that the impugned judgment was passed on 30.11.2022 and certified copy was applied on 02.12.2022 which could be obtained after preparation decree on 10.04.2023 and after going through the records the required approval of competent authority was obtained on 07.12.2023 and ultimately, it was filed on 16.03.2024.

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30. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

31. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

32. It is not in dispute that in respondents belong to the same family.

33. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

34. I.A. No. 3060 of 2025 is hereby allowed.

I.A. 3089 of 2025 in F.A. No. 60 of 2024

35. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 278 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 382 days.

36. The learned counsel has submitted that the impugned judgment was passed on 30.11.2022 and certified copy was applied on 02.12.2022 which could be obtained after preparation of decree on 10.04.2023 and after going through the records the required approval of competent authority was obtained on 07.12.2023 and ultimately, it was filed on 16.03.2024.

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38. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

39. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

40. It is not in dispute that in respondents belong to the same family.

41. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the

moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

42. I.A. No. 3089 of 2025 is hereby allowed.

I.A. 3091 of 2025 in F.A. No. 61 of 2024

43. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 278 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 382 days.

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46. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

47. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

48. It is not in dispute that respondents belong to the same family.

49. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

50. I.A. No. 3091 of 2025 is hereby allowed.

I.A. 3058 of 2025 in F.A. No. 63 of 2024

51. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 278 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 382 days.

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54. The learned counsel for the respondents has opposed the prayer and has submitted that the delay has not been well explained and therefore, the petition seeking condonation of delay is fit to be dismissed.

55. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

56. It is not in dispute that in respondents belong to the same family.

57. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

58. I.A. No. 3058 of 2025 is hereby allowed.

I.A. 3056 of 2025 in F.A. No. 64 of 2024

59. Learned counsel for the appellant submits that initially the petition for seeking condonation of delay was to the extent of 278 days as pointed out by the office but in this case there was an order passed by this Court exempting the petitioner from filing the certified copy and consequently the office has recalculated the delay from the date of the judgment which is 382 days.

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63. After hearing the learned counsel for the parties and considering the averments made in the petitioner seeking condonation of delay read with the supplementary affidavit filed in the present case, the delay in filing the appeal is condoned, subject to payment of cost of Rs.5,000/- to the respondents.

64. It is not in dispute that respondents belong to the same family.

65. The learned counsel for the respondents has undertaken to provide the bank details of one of the respondents who will receive the cost. The learned counsel for the appellant has submitted that the moment the bank details will be provided, the cost will be remitted directly to the bank account upon verification.

66. I.A. No. 3056 of 2025 is hereby allowed.

F.A. No. 48 of 2024; F.A. No. 51 of 2024; F.A. No. 57 of 2024; F.A. No. 59 of 2024; F.A. No. 60 of 2024; F.A. No. 61 of 2024; F.A. No. 63 of 2024; F.A. No. 64 of 2024

67. **Admit**

68. The lower court records have already been received.

69. With the consent of the parties, post these cases for disposal on 04th September, 2025 at 2:15 PM.

(Anubha Rawat Choudhary, J.)

Rakesh/-