

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F.A. No. 367 of 2018

Union of India	...	...	Appellant
	Versus		
Virendra Mahto and Anr.	...	...	Respondents
With			

**F.A. No. 192 of 2014; F.A. No. 193 of 2014; F.A. No. 194 of 2014;
F.A. No. 195 of 2014; F.A. No. 196 of 2014; F.A. No. 197 of 2014;
F.A. No. 198 of 2014; F.A. No. 199 of 2014; F.A. No. 200 of 2014;
F.A. No. 201 of 2014; F.A. No. 202 of 2014; F.A. No. 203 of 2014;
F.A. No. 204 of 2014; F.A. No. 205 of 2014; F.A. No. 206 of 2014;
F.A. No. 207 of 2014; F.A. No. 208 of 2014; F.A. No. 209 of 2014;
F.A. No. 210 of 2014; F.A. No. 211 of 2014; F.A. No. 212 of 2014;
F.A. No. 213 of 2014; F.A. No. 214 of 2014; F.A. No. 215 of 2014;
F.A. No. 216 of 2014; F.A. No. 217 of 2014; F.A. No. 218 of 2014;
F.A. No. 219 of 2014; F.A. No. 220 of 2014; F.A. No. 221 of 2014;
F.A. No. 222 of 2014; F.A. No. 223 of 2014; F.A. No. 224 of 2014;
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F.A. No. 309 of 2014; F.A. No. 310 of 2014; F.A. No. 311 of 2014;
F.A. No. 313 of 2014; F.A. No. 314 of 2014; F.A. No. 315 of 2014;**

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F.A. No. 471 of 2014; F.A. No. 472 of 2014; F.A. No. 473 of 2014;
F.A. No. 474 of 2014; F.A. No. 475 of 2014; F.A. No. 476 of 2014;
F.A. No. 477 of 2014; F.A. No. 478 of 2014; F.A. No. 479 of 2014;
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F.A. No. 498 of 2014; F.A. No. 499 of 2014; F.A. No. 500 of 2014;
F.A. No. 501 of 2014; F.A. No. 502 of 2014; F.A. No. 503 of 2014;
F.A. No. 504 of 2014; F.A. No. 505 of 2014; F.A. No. 506 of 2014;
F.A. No. 507 of 2014; F.A. No. 508 of 2014; F.A. No. 509 of 2014;
F.A. No. 510 of 2014; F.A. No. 511 of 2014; F.A. No. 512 of 2014;
F.A. No. 513 of 2014; F.A. No. 514 of 2014; F.A. No. 515 of 2014;
F.A. No. 516 of 2014; F.A. No. 517 of 2014; F.A. No. 518 of 2014;
F.A. No. 519 of 2014; F.A. No. 520 of 2014; F.A. No. 521 of 2014;
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F.A. No. 525 of 2014; F.A. No. 526 of 2014; F.A. No. 527 of 2014;
F.A. No. 528 of 2014; F.A. No. 529 of 2014; F.A. No. 530 of 2014;
F.A. No. 531 of 2014; F.A. No. 532 of 2014; F.A. No. 533 of 2014;
F.A. No. 534 of 2014; F.A. No. 535 of 2014; F.A. No. 536 of 2014;
F.A. No. 537 of 2014; F.A. No. 538 of 2014; F.A. No. 539 of 2014;
F.A. No. 540 of 2014; F.A. No. 541 of 2014; F.A. No. 542 of 2014;
F.A. No. 543 of 2014; F.A. No. 544 of 2014; F.A. No. 545 of 2014;
F.A. No. 546 of 2014; F.A. No. 547 of 2014; F.A. No. 548 of 2014;
F.A. No. 549 of 2014; F.A. No. 550 of 2014; F.A. No. 551 of 2014;
F.A. No. 552 of 2014; F.A. No. 553 of 2014; F.A. No. 554 of 2014;
F.A. No. 555 of 2014; F.A. No. 556 of 2014; F.A. No. 557 of 2014;
F.A. No. 558 of 2014; F.A. No. 559 of 2014; F.A. No. 560 of 2014;
F.A. No. 561 of 2014; F.A. No. 562 of 2014; F.A. No. 563 of 2014;
F.A. No. 564 of 2014; F.A. No. 565 of 2014; F.A. No. 451 of 2018;
F.A. No. 455 of 2018; F.A. No. 456 of 2018; F.A. No. 459 of 2018;
F.A. No. 463 of 2018; F.A. No. 464 of 2018; F.A. No. 465 of 2018;
F.A. No. 466 of 2018; F.A. No. 467 of 2018; F.A. No. 468 of 2018;
F.A. No. 469 of 2018; F.A. No. 470 of 2018; F.A. No. 471 of 2018;
F.A. No. 472 of 2018; F.A. No. 473 of 2018; F.A. No. 474 of 2018;
F.A. No. 475 of 2018; F.A. No. 477 of 2018; F.A. No. 479 of 2018;
F.A. No. 480 of 2018; F.A. No. 482 of 2018; F.A. No. 484 of 2018;
F.A. No. 486 of 2018; F.A. No. 487 of 2018; F.A. No. 489 of 2018;
F.A. No. 491 of 2018 & F.A. No. 492 of 2018

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellant-UIO : Mr. Anil Kumar (ASGI)
Mr. Abhijeet Kumar Singh, CGC
Mr. Shashank Kumar, A.C. to CGC
For the Appellants :Mr. Mitul Kumar, Advocate

[in F.A. No. 192 of 2014 and analogous cases except F.A. No. 367 of 2018]

For the State	: Mr. Sanjay Kumar Tiwari, SC-I : Mr. Rakesh Ranjan, A.C. to G.A. I : Mr. Kanishka Deo, A.C. to G.P. IV : Mr. Mukul Kumar Singh, A.C. to G.P. III : Mr. Rajesh Kumar Singh, (A.C. to S.C.) L&C II
For the Resp. -UOI	: Mr. Abhijeet Kumar Singh, CGC [in F.A. No. 192 of 2014 and analogous cases except F.A. No. 367 of 2018] Mr. Prabhat Kumar Sinha, Sr. Panel Counsel
For the Respondents	: Mr. Mitul Kumar, Advocate : Mr. S.K. Dey, Advocate [in F.A. No. 367 of 2018]

14/18.07.2025

A report/explanation has been received from the learned court regarding service of notices. On the basis of report and upon further verification of record, office has pointed out that 15 remaining persons are required to be served the notice.

2. So far as rest of the respondents are concerned, it has been reported that either they themselves or their close relatives have received the notice.

3. Considering the aforesaid office note, learned counsel for the appellants is directed to take fresh steps for service of notice under ordinary process on the following 15 respondents.

“149(a), 234, 237(k), 237(t), 239(u), 244(l), 257(a), 285, 289(q), 289(t), 422(a), 460(b), 512, 529(h), 547”.

4. The requisites etc. for service of notice be filed by 22.07.2025. The requisites etc. for service of notices be immediately transmitted to the Civil Court, Ranchi through special messenger upon deposit of special messenger cost by the appellants on or before 22.07.2025.

5. These interlocutory applications have been filed seeking substitution of appellant no. 3, condoning the delay and for setting aside the abatement.

(i) I.A. No. 8505 of 2025 in F.A. No. 200 of 2014;

(ii) I.A. No. 8504 of 2025 in F.A. No. 216 of 2014;

(iii) I.A. No. 8507 of 2025 in F.A. No. 253 of 2014;

(iv) I.A. No. 8511 of 2025 in F.A. No. 279 of 2014

6. The learned counsel appearing for the appellants Mr. Mitul Kumar has submitted that Gorakhnath Sahu who is appellant No. 3 in all the four cases has expired on 10.04.2022 leaving behind his legal heir and successor whose details has been mentioned in paragraph no. 2 of the aforesaid interlocutory applications filed in respective appeals. He submits that the petitions have been filed for substitution and for setting aside abatement and condonation of delay of 1023 days in filing the present interlocutory applications. He submits that both the parties are aggrieved by the Award and appropriate order may be passed after condoning the delay on the point of substitution and abatement, if any be also set-aside. The common paragraph 2 of the interlocutory applications is quoted as under: -

“That the Appellant No. 3 namely- Gorakhnath Sahu (Mahto) S/o Late Sardhu Mahato of F.A. No. 200 of 2014, and awardees of Award No.-04 (Village-Sugnu), had died on 10/04/2022 at his residence in Village+P.O- Sugnu, P.S. Sadar, Dist. Ranchi, Jharkhand, leaving behind his only son namely Surendra Mahto (aged 50 yrs.) as legal representative.”

7. Counsel for the respondents has no serious objection so far as substitution is concerned.

8. After hearing the counsel for the parties, all the aforesaid I.A.s seeking substitution of appellant no. 3 in the respective First Appeals and also seeking condonation of delay of 1023 days and setting aside abatement are hereby allowed.

9. Learned counsel for the appellants is directed to carry out necessary corrections in the cause title of the concerned First Appeals during the course of the day.

10. All the aforesaid I.A.s stand disposed of.

11. At this, learned counsel for the appellants who is appearing in other connected cases on behalf of the claimants has submitted that if the Union of India is ready to abide by the impugned Award passed by the learned Arbitrator, then they would also withdraw the appeals and consequently the Union of India will also have to withdraw its

appeals. He submits that under such circumstances, all the appeals listed today will be withdrawn.

12. Learned counsel for the Union of India has submitted that he shall seek instruction in the matter. He submits that he shall inform this court with regard to the aforesaid proposal of the claimants on the next date.

13. Let this matter be posted on 01.08.2025 awaiting service report.

14. Let this order be communicated to the learned court through FAX/e-mail.

(Anubha Rawat Choudhary, J.)

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