

IN THE HIGH COURT OF JHARKHAND AT RANCHI
M. A. No. 53 of 2021

Bikhni Devi Appellant

Versus

Union of India, through the General manager, East Central Railway, Hajipur & Anr. ... Respondents

CORAM: HON'BLE MR. JUSTICE GAUTAM KUMAR CHOUDHARY

For the Appellant : Mr. Rajesh Kr. Jha, Advocate

For the Respondents : Mr. Chandra Prakash, CGC

Order No. 09 / Dated : 27.08.2025.

I.A. No. 1850 of 2021

Heard learned counsel in this interlocutory application which has been filed under Section 5 of the Limitation Act, 1963 for condonation of delay of 232 days in filing the instant appeal.

It is submitted by the learned counsel for the appellant that the present appellant is mother of the deceased and she is an old lady and not conversant with the Court procedures. There was a delay in getting information regarding the dismissal of the claim application and thereafter, in May, 2019 due to disruption caused by COVID-19, the appeal could not be filed within stipulated time.

Learned counsel on behalf of the Railways has opposed the prayer for condonation of delay.

Considering the ground taken, the delay is condoned and I.A. No. 1850 of 2021 is allowed.

M. A. No. 53 of 2021

Respondent no. 2 is widow of the deceased, whereas the appellant is the mother.

Notices had been earlier issued on respondent no.2 which have been returned unserved.

Under the circumstance, the appellant is directed to take steps for substituted service of notice to be published in the local newspaper having wide circulation in the locality of the respondent nos. 2.

Appellant shall furnish the draft notice in the office within two weeks and after the same being verified, he will collect the same for its publication and thereafter supplementary affidavit shall be filed enclosing therewith copy of paper publication within four weeks from the date of this order.

(Gautam Kumar Choudhary, J.)