

IN THE HIGH COURT OF JHARKHAND AT RANCHI

**F.A. No. 9 of 2007
With
I.A. No. 7791 of 2022**

West Bokaro Colliery (TISCO), now Tata Steel Limited

... .. **Appellant**

Versus

Kashi Nath Manjhi and others

... .. **Respondents**

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

24/02.09.2022

Learned counsel for the parties are present.

2. I.A. No. 7791 of 2022 has been filed for restoration of First Appeal No. 9 of 2007 which was dismissed for default on 28.02.2019 against the heirs and legal representatives of the deceased respondent nos. 1,4,5 and 6 for non-compliance of order dated 21.02.2019. Learned counsel submits that due to inadvertence, the requisites could not be filed within the peremptory period and there was delay of only one day after the peremptory period. The learned counsel submits that the First Appeal No. 9 of 2007 with respect to those heirs and legal representatives be restored and office be directed to issue notice to the proposed legal heirs and successors of the deceased respondent Nos. 1,4,5 and 6.

3. Learned counsel for the respondents has no objection to the prayer made.

4. Considering the aforesaid facts and circumstances, order dated 21.02.2019 is hereby recalled and the matter is directed to be posted on **09.09.2022** under the heading for '**Orders**' so that fresh order be passed for issuance of notice upon the legal heirs and successors of respondent Nos. 1,4,5 and 6.

5. The learned counsel for the appellant submits that requisites have already been filed. Office to check.

6. I.A. No. 7791 of 2022 stands disposed of.

(Anubha Rawat Choudhary, J.)