

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F.A. No. 166 of 2018

Ganesh Karmali & Others	...	...	Appellants
Versus			
Deputy Commissioner, Hazaribagh now Ramgarh & Another	...	...	Respondents

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellant	: Mr. Mitul Kumar, Advocate
For the Respondents	: Mr. Nawal Kishor Pandey, Advocate
For the Resp. No. 2	: Ms. Nitu Sinha, Advocate
For the Railway	: Mr. Sunil Kumar, Advocate

05/10th October 2025

1. Learned counsel for the parties are present.

I.A. No. 4449 of 2022

2. With respect to party position regarding defect nos. 7 and 8, the learned counsel for the appellants has submitted that he has filed substitution petition being I.A. No. 4449 of 2022. He submits that the awardee no. 4, namely, Naresh Karmali, S/o late Jagu Karmali died on 18.01.2018 and his legal heirs and representatives are the appellant nos. 4 to 6 in the present proceedings. He submits that they may be permitted to pursue the present proceedings and on account of death of Naresh Karmali, he has not been made party in the proceedings.

3. Learned counsel for the respondents have no objection to the aforesaid prayer.

4. Considering the aforesaid submissions, the objection of office with regard to defect nos. 7 and 8 are hereby ignored and **I.A. No. 4449 of 2022** is hereby allowed.

I.A. No. 2477 of 2022

5. The learned counsel for the appellants has submitted that this interlocutory application has been filed seeking condonation of delay of 28 days in filing this appeal.

6. He submits that many similar matters arising out of the same proceedings and arising out of the same impugned judgment have been disposed of by this Court and delay in those cases have also been condoned. The learned counsel submits that the matter relates to acquisition of land in village Kadru and appellants are the poor persons and they have come before this Court seeking enhancement of compensation.

7. He has referred to the judgment passed by this Court in F.A. No. 176 of 2018 and F.A. No. 174 of 2018. The learned counsel submits that the delay be condoned and the present appeal itself be disposed of in the same terms. He submits that the records of the case are already available in F.A. No. 176 of 2018.

8. The learned counsel for the respondents has no serious objection, so far as condonation of delay is concerned. He has also submitted that the present case is squarely covered by the aforesaid two judgments cited by the learned counsel for the appellants.

9. After hearing the learned counsel for the parties and being satisfied with the cause shown, the delay of 28 days in filing this appeal is hereby condoned and **I.A. No. 2477 of 2022** is hereby allowed.

10. Post this case for final disposal on 13th October 2025 to be taken up as the first case at 2:15 p.m.

(Anubha Rawat Choudhary, J.)

Mukul/-