

IN THE HIGH COURT OF JHARKHAND AT RANCHI

F.A. No. 156 of 2018

Most. Rathiya Devi & Others **Appellants**
Versus
Deputy Commissioner, Hazaribagh now Ramgarh & Another
... .. **Respondents**

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Appellants : Mr. Mitul Kumar, Advocate
For the Respondents : Mr. Nawal Kishor Pandey, Advocate

05/10th October 2025

1. Learned counsel for the parties are present.
2. With respect to surviving defect no. 1, the learned counsel for the appellants has submitted that the certified copy of the judgment with authentication fee has already been filed in the connected restoration petition which is C.M.P. No. 892 of 2024. He submits that the case was earlier dismissed for non-removal of defects within peremptory time.
3. Perused the records of C.M.P. No. 892 of 2024, office is directed to place the certified copy, filed in C.M.P., in the present records.
Consequently, the defect no. 1 is hereby ignored.

I.A. No. 4447 of 2022

4. With respect to party position regarding defect nos. 8 and 9, the learned counsel for the appellants has submitted that he has filed substitution petition being I.A. No. 4447 of 2022. He submits that the awardee no. 1, namely, Bandhan Bedia, S/o Late Biglaha Bedia died on 24.02.2018; awardee no. 2, namely, Nirmal Bedia, S/o late Rewa Bedia also died on 22.04.2017 and their legal heirs and representatives are the appellant nos. 1 to 8 in the present proceedings. He submits that they may be permitted to pursue the present proceedings and on account of death of Bandhan Bedia and Nirmal Bedia, they have not been made party in the proceedings.
5. Learned counsel for the respondents have no objection to the aforesaid prayer.

6. Considering the aforesaid submissions, the objection of office with regard to defect nos. 8 and 9 are ignored and **I.A. No. 4447 of 2022** is hereby allowed.

I.A. No. 2485 of 2022

7. 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.

8. He submits that many similar matters arising out of the same proceedings and arising out of the same impugned order has 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.

9. 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 this case are already available in F.A. No. 176 of 2018.

10. 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.

11. 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. 2485 of 2022** is hereby allowed.

12. 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/-