

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**F.A. No. 9 of 2014**

Central Coalfields Limited Vs. Kalia Manjhi & Ors.

With

**F.A. No. 10 of 2014**

Union of India Vs. Kalia Manjhi & Anr.

With

**F.A. No. 11 of 2014**

Union of India Vs. Mahesh Manjhi & Ors.

With

**F.A. No. 13 of 2014**

Union of India Vs. Karma Manjhi & Ors.

With

**F.A. No. 14 of 2014**

Union of India Vs. Sonu Manjhi & Ors.

With

**F.A. No. 15 of 2014**

Union of India Vs. Hopan Manjhi & Ors.

With

**F.A. No. 17 of 2014**

Union of India Vs. Sukhram Manjhi & Ors.

With

**F.A. No. 18 of 2014**

Union of India Vs. Ratni Devi & Anr.

With

**F.A. No. 19 of 2014**

Union of India through Chief of Revenue

..... Appellant

**Versus**

1. Shyam Manjhi

2. Most. Chand Manjhi

..... Respondents

With

**[I.A. No. 6950 of 2023**

**&**

**I.A. No. 7065 of 2023]**

With

**F.A. No. 22 of 2014**

Union of India Vs. Lalji Manjhi

With

**F.A. No. 23 of 2014**

Union of India Vs. Barhan Manjhi

With

**F.A. No. 24 of 2014**

Union of India Vs. Surjan Manjhi

With

**F.A. No. 25 of 2014**

Union of India Vs. Ramlal Manjhi & Ors.

-----

**CORAM: HON'BLE MR. JUSTICE SANJAY PRASAD**

-----  
For the Appellant : Mr. Sahay Gaurav Piyush, Advocate  
For the Resps. : Mr. Nanhu Ram, Advocate  
-----

**25/19.11.2025                      F.A. No. 19 of 2014**

1. I.A. No. 6950 of 2023 has been filed on behalf of the appellant in this appeal for substituting the name of Respondent No.2, namely Most. Chand Manjhi, who has died on 11.08.2028, in the cause title of this appeal by the legal heirs of Respondent No.2 as per the details given in Paragraph 6 of this interlocutory application.

2. I.A. No. 7065 of 2023 has been filed on behalf of the appellant in this appeal for condoning the delay of 132 days in filing the substitution petition, being I.A. No. 6950 of 2023 filed for substituting the name of Respondent No.2 by the name of her legal heirs.

**I.A. No. 7065 of 2023**

3. Learned counsel for the appellant has submitted that he came to know about the death of the Respondent No.2 on 27.07.2023 from service report and immediately officials of the appellant-company were sent to the village of Respondent No.2 for details and then the learnt that the Respondent No.2 has died as far back as on 11.08.2018 and in course thereof some delay has occurred. It is submitted that no information was provided by the learned counsel for the Respondents also in this regard. It is submitted that the delay in filing the substitution application is not intentional but due to circumstances beyond the control of the appellant-

company and, hence the delay of 132 days in filing I.A. No. 6950 of 2023 may be condoned.

**4.** Counter affidavit has been filed by the contesting respondents by opposing the prayer of the appellant-company. learned counsel for the Respondents has submitted that the I.A. No. 6950 of 2023 was filed on 02.08.2023 and the Respondent No. 2 had died on 11.08.2018 and this huge delay has not been properly explained and hence, the prayer for condonation of delay may be rejected.

**5.** It appears from I.A. No. 7065 of 2023 that the delay has not been computed correctly while filing this interlocutory application and there appears to be negligence and carelessness in filing such an application because it appears from the averments made in this interlocutory application, at Paragraph No.s 4 and 5, that they learnt about the death of the Respondent No.2 on 27.07.2023 on seeing the service report of Notice and they had filed the substitution petition on 08.08.2023, i.e. within around 12 days, but they have shown delay of 132 days in the interlocutory application.

**6.** Having heard both sides and looking to the averments made in the interlocutory application, it appears that the petitioner is a public sector undertaking, i.e. the C.C.L. and the officers are subjected to transfer time and again and they came to know about the death of Respondent No.2 only on 27.07.2023 from the service report and the I.A. No. 6950 of 2023 for substitution was filed on 02.08.2023 and hence, taking a lenient view, the delay in filing the substitution petition is condoned, subject to the payment of a cost of Rs. 5,000/- to the legal

heirs of the Respondent No.2 in the Bank Account of the legal heirs of Respondent No.2 and the Bank Account details of the legal heirs of Respondent No.2 may be furnished by the legal heirs of the Respondent No.2 within 10 days from today..

**7.** Thus, I.A. No. 7065 of 2023 is allowed and stands disposed of.

**I.A. No. 6950 of 2023**

**8.** Learned counsel for the appellant has submitted that the learned counsel for the appellant came to know about the death of the Respondent No.2 only on 27.07.2023 from service report and after proper enquiry, appellant learnt that the Respondent No.2 has already died on 11.08.2018 and hence the legal heirs of the Respondent No.2, namely Most. Chand Manjhi, may be substituted as per the details given in the Paragraph No.6 of the instant interlocutory application.

**9.** It appears from Paragraph No.6 of I.A.No. 6950 of 2023 that Respondent No.2 has died issueless, however, learned counsel for the appellant had prayed for substituting the Respondent No.2 by her legal heirs, who are her sister and son of her sister.

**10.** Having heard learned counsel for both sides and looking to the averments made in I.A. No. 6950 of 2023, the appellant-company is allowed to incorporate the name of the legal heirs of the Respondent No.2, namely Most. Chand Manjhi, in the cause title of this case as per the details given in the Paragraph No. 6 of the instant interlocutory application, subject to the payment of a cost of Rs. 5,000/- to the legal heirs of the Respondent No.2 in the Bank Account of the legal heirs of

**-5-**

Respondent No.2 and the Bank Account details of the legal heirs of Respondent No.2 may be furnished by the legal heirs of the Respondent No.2 within 10 days from today.

**11.** Thus, I.A. No. 6950 of 2023 is allowed and stands disposed of.

**12.** Put up these cases after Two (02) weeks.

**(Sanjay Prasad, J.)**

s.m.

Dated 19.11.2025