



2017:JHHC:15881

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 84 of 2009

M/s. Asiatic Oxygen Ltd., Kolkata.

--- ---- Appellant

Versus

Krishna Chandra Yadav

----- Respondent

CORAM: The Hon'ble Mr. Justice Aparesh Kumar Singh
The Hon'ble Mr. Justice B.B. Mangalmurti

For the Appellant

: Mr. Indrajit Sinha, Adv.

For the Respondent

: None.

21/18.07.2017

Despite several steps taken earlier for effecting service of notice on the sole respondent over a period of eight years by now, more specifically five such attempts, notices could not be effected upon the sole respondent. The office report discloses that the addressee has left. As per the learned counsel for the appellant the factory of the appellant-company is also transferred to another company since long. There is no execution case pending or being prosecuted by the respondent-workman towards realisation of the amounts adjudicated in the B.S.E. Case No.01/2003 affirmed in B.S.E. Appeal No.01/2006 which was the subject matter of challenge in the writ petition W.P.(L) No.49/2009.

In such circumstances, on being asked, learned counsel for the appellant fairly submits that if liberty be allowed to revive the appeal in case of any threat of execution in future, the appeal can be disposed of, as not being pressed at this stage.

In view of the fair submissions on behalf of the appellant, we are also inclined to accept the prayer in the aforesaid background. Accordingly, the instant appeal is dismissed as not pressed with the liberty to revive the same, in case the appellant faces any threat of execution in the B.S.E. Case by the respondent in future. I.A. No.5796 of 2017 stands closed.

(Aparesh Kumar Singh, J.)

(B.B. Mangalmurti, J.)