

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 353 of 2023

Working President, Rashtriya Colliery Mazdoor Sangh, Gore Magnetite
Project, Palamu, represented through Abdul Rahim Ansari ... Appellant
Versus
Bharat Coking Coal Limited through its Director (Personnel) and another
... Respondents

CORAM: **HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY**
HON'BLE MR. JUSTICE ARUN KUMAR RAI

For the Appellant : Mrs. M.M. Pal, Sr. Advocate;
Mr. Abhishek Srivastava, Advocate
For the BCCL : Mrs. Swati Shalini, Advocate

10/29.07.2026

I.A. No. 6992 of 2026

Heard Mrs. M.M. Pal, learned senior counsel for the appellant and Mrs. Swati Shalini, learned counsel appearing for the BCCL.

This application has been preferred by the appellant for amending para-1 and prayer portion of L.P.A. No. 353 of 2023.

Submission has been advanced by the learned senior counsel for the appellant that due to inadvertence, the order dated 24.04.2015, passed in W.P.(L) No. 11 of 2011 was challenged in the instant Letters Patent Appeal despite the fact that the appellant had earlier preferred a review application for review of the order dated 24.04.2015, passed in W.P.(L) No. 11 of 2011 which, however, was dismissed on 11.04.2023 and therefore, prayer has been made that para-1 and prayer portion of the Letters Patent Appeal be suitably modified so as to mount challenge to the order dated 11.04.2023, passed in Civil Review No. 86 of 2019.

Mrs. Swati Shalini, learned counsel appearing for the BCCL, has submitted that the dilatory tactics adopted by the appellant would be evident from the fact that earlier also a Letters Patent Appeal was preferred which was withdrawn and subsequent thereto, without taking leave of the Court, a Civil Review Petition was filed which was dismissed on 11.04.2023. Learned counsel therefore submits that though in W.P.(L) No. 11 of 2011 an order was passed on 24.04.2015 but deliberately there has been laches on the part of the appellant and in view of such laches, the present amendment application deserves to be

rejected.

It appears from a perusal of para-1 and prayer portion of L.P.A. No. 353 of 2023 that the order which was under challenge is dated 24.04.2015 passed in W.P.(L) No. 11 of 2011. However, subsequent thereto, the appellant had moved this Court on several occasions and lastly in Civil Review No. 86 of 2019 which was dismissed on 11.04.2023 and which the learned senior counsel for the appellant wants to bring on record to mount a challenge to the same.

On consideration of the averments made in the instant application and the submission advanced by the learned counsel for the respective parties, it would be just and proper that the appellant be permitted to challenge the order dated 11.04.2023, passed in Civil Review No. 86 of 2019 as the same is a consequence to the dismissal of W.P.(L) No. 11 of 2011 vide order dated 24.04.2015. Accordingly, this application stands allowed and the appellant is permitted to challenge the order dated 11.04.2023, passed in Civil Review No. 86 of 2019. Learned counsel for the appellant is permitted to make necessary corrections in para-1 and prayer portion of L.P.A. No. 353 of 2023.

Present interlocutory application stands disposed of.

L.P.A. No. 353 of 2023

In view of the amendment, which has been allowed by us above, the period of limitation will have to be recalculated and therefore, office is directed to recalculate the period of limitation in filing L.P.A. No. 353 of 2023 within a period of one week from today.

Let this matter be listed under the same heading on 11th of August, 2026.

Mrs. M.M. Pal, learned senior counsel for the appellant, once the recalculation is made, is directed to file a fresh application for condonation of delay.

(RONGON MUKHOPADHYAY, J.)

(ARUN KUMAR RAI, J.)

29.07.2026

S.B. Uploaded on 03.08.2026