

S.A. No. 192 of 2025

Sarojini Soren and Another	...	...	Appellants
Versus			
Samuel Soren and Ors.	...	...	Respondents

For the Appellants : Mr. Shubhashis Rasik Soren, Advocate
: Ms. Shobha Gloria Lakra, Advocate
: Ms. Mrinalini Adela Tete, Advocate
For the Respondents :

2. Learned counsel for the appellants has produced a copy of the order dated 12.03.2024 passed by the learned 1st appellate court wherein the final order dated 04.03.2022 passed by the learned Commissioner, Santhal Pargana, Dumka in Revenue Misc. Appeal No. 45 of 2003-04 was adduced as additional evidence and the same was directed to be taken on record.

3. The learned counsel submits that the said document was also marked as exhibit- 1 by the learned 1st appellate court on 18.04.2024. He submits that the final judgment by the learned 1st appellate court has been delivered on 12th December, 2024, but the aforesaid additional evidence has been completely overlooked.

4. Learned counsel for the appellants has submitted that on the contrary, the learned 1st appellate court recorded that the proceeding is still pending before the learned Commissioner. The learned counsel submits that the final order passed by the learned Commissioner in Revenue Misc. Appeal No. 45 of 2003-04 has a serious bearing in the matter and therefore, a substantial question of law be framed in this connection.

5. I.A. No. 15140 of 2025 has been filed for condonation of delay of 202 days in filing this appeal.

6. Since appeal is barred by limitation, this Court issues notice to the respondents in I.A. No. 15140 of 2025 seeking condonation of delay in filing the appeal.

7. At this, learned counsel for the appellants has also submitted that one interlocutory application being I.A. No. 176 of 2026 has been filed with a prayer for stay of proceeding before the executing court being Execution Case No. 2 of 2025 pending before the Court of learned Civil Judge, Senior Division-I at Pakur.

8. Let notice be also issued to the respondents in I.A. No. 176 of 2026 seeking stay of the execution proceedings.

9. For the purpose of issuance of notice to the respondent nos. 1 to 5 in I.A. No. 15140 of 2025 and I.A. No. 176 of 2026, let requisites under speed post as well as ordinary process be filed by the learned counsel for the appellants within a period of one week from today.

10. Office to track speed post delivery and prepare appropriate office note with regard to service of notice.

11. Additionally, it will be open to the appellants to serve the notice to the respondent nos. 1 to 5 through their Advocate in the executing court in presence of witnesses and file an affidavit before this Court regarding service of notice.

12. Since the respondent no. 6 is the Deputy Commissioner, Pakur, the notice upon him be served through the office of the learned Advocate General.

13. Learned counsel for the appellants is directed to serve two copies of the memorandum of appeal along with its enclosures and synopsis in the office of the learned Advocate General within a period of one week from today.

14. Post this case on 11th February, 2026.

(Anubha Rawat Choudhary, J.)

Pankaj