

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4951 OF 2001

SOUTH EASTERN COALFIELDS LTD.
.....APPELLANT(S)

VERSUS

NATTHU LAL

.....RESPONDENT(S)

O R D E R

In spite of due service on the respondent, no one has entered appearance on his behalf.

This appeal is directed against an order dt.16.10.2000 passed by the High Court of Madhya Pradesh, Jabalpur in M.A.No.2049 of 2000 by which the application for condonation of delay of 35 days in filing the appeal was rejected.

Having heard the learned counsel for the appellant and after going through the application for condonation of delay as also the materials on record, we are of the view that the Division Bench of the High Court was not justified in rejecting the application for condonation of delay of 35 days in filing the appeal as we are of the view that the statements made in the application do constitute sufficient cause for condonation of delay in filing the appeal. Accordingly, we set aside the impugned order and allow the application for condonation of delay in filing the appeal. We, however, request the High Court to decide the appeal on merits and in accordance with

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law at an early date and preferably within a period of three months from the date of communication of this Order. The appeal is allowed to the extent indicated above.

There shall be no order as to costs.

.....J.
(TARUN CHATTERJEE)

.....J.

NEW DELHI;
FEBRUARY 12, 2008.

ITEM NO.116

COURT NO.9

SECTION XV

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS
CIVIL APPEAL NO(s). 4951 OF 2001

SOUTH EASTERN COALFIELDS LTD.

Appellant (s)

VERSUS

NATTHU LAL

Respondent(s)

(With prayer for interim relief and office report)

Date: 12/02/2008 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE TARUN CHATTERJEE
HON'BLE MR. JUSTICE H.S. BEDI

For Appellant(s)

Mr. Ajit Kumar Sinha,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

The appeal is allowed to the extent indicated in the signed order.

There shall be no order as to costs.

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(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed Order is placed on the file)