

IN THE HIGH COURT OF JHARKHAND AT RANCHI

(Civil Appellate Jurisdiction)

S.A. No. 97 of 2018

Laljit Rajwar @ Lalu Rajwar & Ors. Appellants

Versus

M/S Bharat Coking Coal Limited & Ors. Respondents

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO
(Through :-Video Conferencing)

For the Appellants : Mr. Pradeep Kr. Deomani, Advocate

For the Respondent :

05/Dated: 10/09/2020. I.A. No.8728 of 2019

I.A. No.8728 of 2019 has been preferred by the appellants for extension of time passed by co-ordinate Bench of this Court vide order dated 14.08.2019 to remove the defects.

It appears that instant Second Appeal has been filed on 15.03.2018 and stamp reporter pointed out defect Nos.1 to 4 vide report dated 26.03.2018 as well as deficit court fee of Rs.2084/-, but the defects have not been removed. Thus the appeal was listed before the Lawazima of Joint Registrar (Judicial) on 18.04.2018, but defect was not removed then it was again listed before the Lawazima of learned Registrar General on 17.12.2018 even then defects have been not removed and thus it was placed before the co-ordinate Bench of this Court.

Further, co-ordinate Bench of this Court has granted four weeks preemptory time to remove the defects vide order dated 14.08.2019, but defects have not been removed rather I.A. No.8728 of 2019 has been filed on 11.09.2019 for extension of preemptory time by two weeks. The said period has already been lapsed.

The country is passing through pandemic of Covid-19.

Learned counsel for the appellants has submitted that since Interlocutory Application is pending, as such, after lapse of preemptory time granted in terms of order dated 14.08.2019 he could not remove the defects, but undertakes to remove the defects within a period of 30 days, if physical court starts.

Prayer is allowed.

Learned counsel for the appellants is directed to remove the defects within a period of 30 days, after physical court starts.

I.A. No.8728 of 2019 is hereby allowed.

The court fee must be deposited and defects be removed in the aforesaid period, failing, which this appeal shall stand rejected without further reference to a Bench.