

UNION OF INDIA, THROUGH CHIEF OF REVENUE,
CENTRAL COALFIELDS LTD., RANCHI

v.

JANKI MAHTO AND ORS.

APRIL 2, 1996

[K. RAMASWAMY AND G.B. PATTANAIK, JJ.]

Interim Stay—High Court—Appeal against award—Held, High Court should have granted interim stay of execution of the award—There shall be stay pending appeal.

CIVIL APPELLATE JURISDICTION : Civil Appeal No. 6980-7017 of 1996.

From the Judgment and Order dated 25.11.93 of the Bihar High Court in Misc. A. Nos. 495, 482, 470-71, 475, 493, 472, 479, 490, 485, 476, 474, 484, 487, 496, 483, 493, 504, 478, 492, 488, 469, 489, 481, 473, 486, 468, 480, 477, 491, 497, 502, 498, 505, 499, 503, 500 and 501 of 1993.

Sanjay Khaitan for O.P. Khaitan & Co. for the Appellant.

The following Order of the Court was delivered :

Leave granted.

Notice issued is sufficient service in respect of respondent Nos. 1, 6, 8-11, 14, 16, 18, 20-24, 28, 31, 34, 36-39, 41-45, 48-98, 100-109, 111 and 113. Notices sent with Acknowledgments Due have not been received back. They must be deemed to have been served. Notice on respondent Nos. 12, 13, 17, 33 and 47 have been received back without any date. Therefore, notice on them must be deemed to have been served.

The only question is : whether the High Court was justified in granting the interim directions as prayed for. In view of the circumstance of the case, we think that the High Court would have granted interim stay of the execution of the award which is the subject matter of the appeals in the High Court.

The appeals are accordingly allowed. There shall be stay pending appeal, as prayed for. The High Court is requested to dispose of the appeals as expeditiously as possible. No costs.

Appeals allowed.