[2025:JHHC:38191]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2558 of 2025
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1. Maya Singh, aged about 42 years, W/o Pravin Kumar D/o Bekund Singh @ Baikund Singh

2. Parmod Kumar Singh @ Parmod Singh, S/o Bekund Singh @ Baikund Singh, age- 32 yrs,

3. Goldi Singh @ Gaytri Singh aged about 28 years W/o Parmod Kumar Singh

4. Bekund Singh @ Baikund Singh, Aged about 60 years, S/o Late Ram Ayodhya Singh,

5. Shivparshan Singh, aged about 65 years, S/o Late Ram Ayodhaya Singh,

6. Manohar Singh @ Manohar Kumar, aged about 28 years, S/o Late Kedar Singh,

7. Mohit Singh @ Mohit Kumar, S/o Shivparshan Singh, aged about 26 years,

8. Parbhu Singh @ Parbhu Nath Singh, S/o Late Gopal Singh, age – 46 years,

9. Vibha Devi, W/o Parbhu Singh, aged about 40 years,

10. Manju Singh @ Manju Devi, W/o Tinku Singh, aged about 35 years,

All are resident of village & P.O. – Dhandian, P.S. – Kollwar, Dist.- Bhojpur, Bihar … Petitioners

Versus

1. The State of Jharkhand

2. Parveen Kumar, aged about 49 years, Son of Sidheshwari Prasad Singh, R/o H.E.C. Colony, Quarter No.- B-301, P.O. & P.S.- Dhurwa, Dist.- Ranchi … Opposite Parties

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CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Suresh Kumar Singh, Advocate
For the State : Ms. Vandana Bharti, Addl. P.P.

For the O.P. No.2 : Ms. Karishma Kumari, Advocate
Mr. Niraj Kumar, Advocate

Order No:-04 Dated:-19-12-2025

Heard the parties.

This criminal miscellaneous petition has been filed by the petitioners with the prayer for restoration of Cr.M.P. No.11 of 2024 to its original file which stood dismissed for non-compliance of the peremptory order dated 08.05.2024 passed by this Court.

It is submitted by the learned counsel for the petitioners that Cr.M.P. No.11 of 2024 stood dismissed for non-compliance of the peremptory order dated 08.05.2024 passed by this Court to file the requisites of service of notice upon the opposite party No.2. It is next submitted that after the said order was passed, there was summer vacation and due to inadvertence on the part of the advocate's clerk, the said order dated 08.05.2024 passed in Cr.M.P. No.11 of 2024 could not be complied with within the stipulated time which resulted in dismissal of the said Cr.M.P. No.11 of 2024 for non-compliance of the said peremptory order dated 08.05.2024 passed by this Court. It is next submitted that non-compliance of the said peremptory order dated 08.05.2024 was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said Cr.M.P. No.11 of 2024 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No.11 of 2024 be restored to its original file.

Learned Addl.P.P. appearing for the State has not raised any serious objection.

Learned counsel for the opposite party No.2 vehemently opposes the prayer of the petitioners for restoration of the said Cr.M.P. No.11 of 2024 and submits that the opposite party No.2 will unnecessarily be harassed if the same is restored to its original file, hence, the opposite party No.2 be compensated adequately.

Considering the aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No.11 of 2024 is directed to be restored to its original file at the same stage at which it was before its dismissal subject to payment of cost of Rs.10,000/- by the petitioners to the opposite party No.2 through his counsel appearing in the record within four weeks from the date of this order.

Registry is directed to list Cr.M.P. No.11 of 2024 before the concerned Bench after four weeks only if the petitioners file the proof of payment of the cost of Rs.10,000/- to the opposite party No.2 though his counsel appearing in the record within four weeks from the date of this order; failing which this conditional order shall not be given effect to and Cr.M.P. No.11 of 2024 shall remain dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated- 19.12.2025-Animesh/