IN THE HIGH COURT OF JHARKHAND AT RANCHI

C.M.P. No. 391 of 2026

Karma Munda, aged about 88 years Son of late Boleya Munda, Resident of Village Morhabadi Karam dahar, P.O:- RMCH and P.S.- Bariatu, District-Ranchi. **… … Petitioner**

Versus

1. Peter Tirkey, Son of late Simon Tirkey
2. Robert Tirkey, Son of Late Albis Tirkey
3. Johan Tirkey, Son of late Birsa Munda
   All resident of village Morhabadi, Karam Dahar, P.S. Bariatu, P.O. RMCH, District-Ranchi.
4. Budhan Munda, Wife of Manga Munda, Resident of Harihar Singh Road, P.O. Morabadi, P.S. Bariyatu, District-Ranchi.
5. Nirmal Munda, Son of Manga Munda, Resident of Harihar Singh Road, P.O. Morabadi, P.S. Bariyatu, District-Ranchi.
6. Bimal Munda, Son of Manga Munda, Resident of Harihar Singh Road, P.O. Morabadi, P.S. Bariyatu, District Ranchi.
7. Koka Munda, Son of late Puran Munda, Resident of Village Morhabadi, Harihar Singh Road, P.O. Morabadi, P.S. Bariyatu, District-Ranchi.
8. Shankar Munda, Son of Akla Munda, Resident of Harihar Singh Road, P.O. Morabadi, P.S. Bariyatu, District-Ranchi.
9. Deputy Commissioner Ranchi, P.O. & P.S. Sadar, District-Ranchi.

… … Opp. Parties

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Ms. Priyanka Boby, Advocate
For the Opp. Parties : None

03/**24.04.2026**

1. Learned counsel for the petitioner is present.

2. This petition has been filed for modification of order dated 12.02.2026 passed in CMP No. 295 of 2008 whereby there was direction to remove the defects and the peremptory time granted vide order dated 21.10.2005 in S.A. No. 630 of 2004 was extended till 20.03.2026.

3. This Court finds that the peremptory order which was granted vide order dated 21.10.2005 to remove the defects in S.A. No. 630 of 2004 was extended till 20.03.2026 and apparently the order remained peremptory, but even till the extended time, the defects were not

removed. Consequently, S.A. No. 630 of 2004 has again stood dismissed for non-removal of defects. The order passed in CMP No. 295 of 2008 has taken its effect and therefore, the order dated 12.02.2026 passed in CMP No. 295 of 2008 cannot be modified, the S.A. No. 630 of 2004 stands dismissed on account of non-compliance of order dated 12.02.2026 passed in CMP No. 295 of 2008.

4. At this, learned counsel for the petitioner has submitted that liberty may be reserved with the petitioner to seek restoration of S.A. No. 630 of 2004.

5. In view of the aforesaid order, the petitioner may take steps as may be permissible under law to get S.A. No. 630 of 2004 restored.

6. This C.M.P is accordingly dismissed with aforesaid observation .

(Anubha Rawat Choudhary, J.)

24.04.2026
Rakesh/-
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