2026:JHHC:28274

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P(C) No. 7442 of 2026

1.Amarjeet Raut, S/o Ghanshyam Raut, R/o Village- Markunda, PO Chilra, PS Saraiyahat, District Dumka
2.Karu Raut, S/o Bhupal Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
3.Naresh Raut, S/o Charan Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
4.Kamdev Raut, S/o Charan Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
5.Arvind Raut, S/o Gangadhar Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
6.Masomat Suma Devi, W/o Suresh Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
7.Ramiya Devi, W/o Satynarayan Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
8.Purushottam Raut, S/o Sona Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka
9.Keili Devi, W/o Nageshwar Raut, R/o Village Markunda, PO Chilra, PS Saraiyahat, District Dumka

.... Petitioner(s).

Versus

1.The State of Jharkhand
2.The Commissioner, Santhal Pargana Division, Dumka
3.Bijay Kumar Singh, S/o Harinandan Prasad Singh, R/o Village Tilakpur, PO + PS Sultanganj, District Bhagalpur, Bihar

… Respondent(s).

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CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Peeyush Krishna Choudhary, Advocate
For the State : Mr. Sachin Kumar, AAG-II

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02/ 18.09.2026: Heard, learned counsel for the petitioner and learned counsel for the State.

2. Petitioners are challenging the order dated 17.03.2008 (Annexure-1) by which the petition of the petitioner got dismissed for non- appearance. The order is recorded as follows:-

> *"The appellant remained absent since 30.04.2007 and earlier from 23.12.2002 to 20.11.2006, from 02.01.2001 to 06.05.2002, such attitude shows that the appellant has no interest into the matter which is pending since 01.09.1986, more than 21 and ½ years passed, dismissed for the default of the appellant."*

3. As the petitioner was not appearing since long and the matter was pending for more than 21 and ½ years, due to non-appearance, the petition was dismissed in the year, 2008.

4. Thereafter, the petitioners slept over and the restoration application was filed after lapse of seventeen years. An application under Section 5 of the Limitation Act was also filed without any ground whatsoever. In four paragraphs of the petition filed under section 5 of the Limitation Act the petitioners only take the ground that they had no knowledge about the dismissal as they had entrusted the case to the lawyer. This ground is not worth to be considered. The case is of the petitioners and the petitioners should be vigilant about the cases which they have filed. They cannot blame the lawyers for their own faults.

5. Considering all these aspects the Commissioner has rightly rejected the limitation application for condonation of delay. Thus, I do not find any merit in the instant writ petition. The orders dated 17.03.2008 and 15.10.2025 needs no interference. Accordingly, this writ petition is **dismissed**.

(ANANDA SEN, J.)

18th September, 2026
R.S./
Uploaded on 23/09/2026