IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.1098 of 2025
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1. Most Eto Orain, wife of Late Gonde Oraon, aged about 43 years,
2. Panchu Oraon, son of late Gonde Oraon, aged about 35 years,
3. Sanjeet Oraon, son of Late Gonde Oraon, aged about 23 years
4. Sanjay Oraon, son of Late Gonde Oraon, aged about 25 years
5. Lelwa Oraon, son of Late Bundu Oraon, aged about 68 years,

   All by caste Oraon, resident of Village – Bero, Dumartol, P.O. & P.S. – Bero, District- Ranchi, Jharkhand.

… Petitioners

Versus

1. Sukra Oraon, son of Late Jatru Oraon
2. Jogendra Oraon, son of Late Mangru Oraon
3. Bandhna Oraon, son of Late Mangru Oraon

   1 to 3 are resident of Village – Bero, Tetar Toli, P.O. P.S. – Bero, District- Ranchi, Jharkhand.
4. Girish Nath Mishtra, son of Late Durga Nath Mishra, resident of Village – Bijulia, P.O. & P.S. – Ratu, District – Ranchi, Jharkhand.
5. The Deputy Commissioner, Ranchi, Collectorate Building, Kutchery Chowk, P.O. – GPO Ranchi, P.S. – Kotwali, District- Ranchi, Jharkhand.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Md. Azam, Advocate
Md. Afaque Rashidi, Advocate
Ms. Susmita Kumari, Advocate
For the O.P. No.5 : Mr. Rahul Saboo, GP II
Mr. Gaurang Jajodia, AC to GP II
For the O.P. No.1 & 3 : Mr. Sanjay Kr. Thakur, Advocate
For the O.P. No.2 : None

Order No:-06 Dated:-20-11-2026

Heard the parties.

Perusal of the record reveals that the substituted service of notice by publishing the contents of the notice in the daily newspaper has been made by the petitioners in respect of the opposite party No.2.

In this respect, the learned counsel for the petitioners draws attention of this Court to the supplementary affidavit and submits that the proof of paper publication has been filed along with the said supplementary affidavit.

Hence, the service of notice upon the opposite party No.2 is sufficient.

This Civil Miscellaneous Petition has been filed by the petitioners with the prayer for restoration of S.A. No. 466 of 2018 to its original file which stood dismissed for non-compliance of the peremptory order dated 18.12.2024.

Learned counsel for the petitioners submits that S.A. No. 466 of 2018 was dismissed for non-compliance of the peremptory order dated 18.12.2024. It is next submitted that the prayer for time was allowed to the appellants of S.A. No. 466 of 2018 subject to deposit of Rs.8,000/- by the appellants of S.A. No. 466 of 2018 with JHALSA within three weeks but due to the inadvertent error on the part of the Advocate's Clerk, the said deposit could not be made within the stipulated time; which resulted in dismissal for non-compliance of the peremptory order dated 18.12.2024. Now the petitioners have made the said deposit with JHALSA and the copy of which has been annexed with this petition. It is further submitted that non-compliance of the peremptory order dated 18.12.2024 was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said S.A.

No. 466 of 2018 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the S.A. No. 466 of 2018 be restored to its original file.

Learned counsel for the opposite party No.1, 3 & 5 has not raised any serious objection to the prayer of the petitioner.

Considering the aforesaid submission of the learned counsel for the petitioners, S.A. No. 466 of 2018 is directed to be restored to its original file at the same stage at which it was before its dismissal.

Registry is directed to list S.A. No. 466 of 2018 before the appropriate Bench after a week.

This Civil Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:-20.11.2026
Saroj/