[2026:JHHC:28346]

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2401 of 2025
------

1. Harish Chandra, Aged about 57 years, S/O Late Hari Narayan, R/o-Harmu Housing Colony, Harmu, House No. MIG-17, P.O. + P.S.-Argora, District-Ranchi, State- Jharkhand.

2. Neelam Devi @ Neelam Chandra, aged about 47 years, W/o Harish Chandra, R/o- Harmu Housing Colony, Harmu House No. MIG-17, P.O. + P.S.-Argora, District-Ranchi, State- Jharkhand.

… Petitioners

Versus

1. The State of Jharkhand

2. Prakash Chandra, S/O Late Hari Narayan, R/o- Harmu Housing Colony, Harmu House No.MIG-17, P.O. + P.S.- Argora, District- Ranchi, State- Jharkhand presently residing at Mauza-Aliganj, P.O. + P.S.- Chandradeep, District- Jamui, Bihar

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Rahul Dev, Advocate
For the State : Mr. Shiv Shankar Kumar, Addl. P. P.
For the O.P. No.2 : Mr. Girish Mohan Singh, Advocate

Order No:-07 Dated:-18-09-2026

Heard the parties.

This criminal miscellaneous petition has been filed by the petitioners with the prayer for restoration of Cr.M.P. No.4182 of 2022 to its original file which stood dismissed for non-compliance of the peremptory order dated 23.06.2025 passed by this Court.

It is submitted by the learned counsel for the petitioners that Cr.M.P. No.4182 of 2022 stood dismissed for non-compliance of the peremptory order dated 23.06.2025 passed by this Court to file proof of deposit of Rs.1,000/- by the petitioners with the Jharkhand State Legal Services Authority (JHALSA). It is next submitted that due to inadvertence on the part of the advocate's clerk, the said proof could

not be filed within the stipulated time, therefore, the same resulted in dismissal of the said Cr.M.P. No.4182 of 2022 for non-compliance of the said peremptory order dated 23.06.2025 passed by this Court. It is next submitted that non-compliance of the said peremptory order dated 23.06.2025 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.4182 of 2022 and unless the same is restored to its original file, the petitioner will be highly prejudiced. Hence, it is submitted that the Cr.M.P. No.4182 of 2022 be restored to its original file.

Learned counsel 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.4182 of 2022 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 facts of this case and the aforesaid submission of the learned counsel for the petitioners, Cr.M.P. No.4182 of 2022 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.5,000/- by the petitioners to the opposite party No.2 through his counsel appearing in the record within two weeks from the date of this order.

Registry is directed to list Cr.M.P. No.4182 of 2022 before the concerned Bench after two weeks only if the petitioners file the proof of payment of the cost of Rs.5,000/- to the opposite party No.2 though his counsel appearing in the record within two weeks from the date of this order failing which this conditional order shall not be given effect to and Cr.M.P. No.4182 of 2022 shall remain dismissed.

This criminal miscellaneous petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated-18.09.2026-Animesh/