IN THE HIGH COURT OF JHARKHAND AT RANCHI
C.M.P. No.742 of 2025

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1. Surendra Nath Mahato, aged about 75 years,
2. Firendra Nath Mahato, aged about 70 years,
3. Brindaban Mahato, aged about 55 years,
4. Gopal Mahato, all S/o Late Bishwanath Mahato @ Ghasinath Mahato, R/o Village-Gomda, P.O.-Rahe and P.S.-Sonahatu, Dist.-Ranchi.

… Petitioners

Versus

1. The State of Jharkhand
2. The Member Board of Revenue Jharkhand under P.O. and P.S.-Dhurwa, Dist-Ranchi.
3. The Additional Collector, Land Ceiling Ranchi under P.O. and P.S.-Kotwali, Dist.-Ranchi.
4. The Land Reforms Deputy Collector, Khunti under P.S.-Khunti, P.O.-Khunti, Dist.-Khunti.
5. Vishnu Charan Mahato,
6. Subhash Chandra Mahato,
   Both sons of Late Rajni Mahatain,
7. Saibhya Kumari, D/o Late Rajni Mahatain,
   All R/o Village-Gomda under P.O.-Rahe, P.S.-Sonahatu, Dist.-Ranchi.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Ashok Kr. Pandey, Advocate
For the State : Mr. Ratnesh Kumar, SC (L&C)-I
For the OP no.5 : Mr. Mahesh Kr. Sinha, Advocate

Order No:-08 Dated:-06-11-2026

Heard the parties.

Learned counsel for the petitioner drawing attention of this Court to the Supplementary Affidavit submits that the proof of substituted service of notice by publishing the content of the notice in the daily newspaper-Prabhat Khabar, Ranchi Edition dated 30.08.2026 has been filed. Hence, the service of notice upon the opposite party no.06 & 07 is sufficient. No one turns up on behalf of the opposite party no.06 & 07 in spite of repeated calls.

This civil miscellaneous petition has been filed by the petitioners with the prayer for restoration of W.P.C. No.4568 of 2005 to its original file; which stood dismissed for non-prosecution vide order dated 23.07.2025.

It is submitted by the learned counsel for the petitioners that W.P.C. No.4568 of 2005 stood dismissed for non-prosecution vide order dated 23.07.2025. It is next submitted that due to inadvertent mistake on the part of the Advocate's Clerk, the learned counsel for the petitioners could not mark the list, hence, the learned counsel for the petitioner could not appear before this Court when the said W.P.C. No.4568 of 2005 was called out; which resulted in dismissal of the said W.P.C. No.4568 of 2005 for non-prosecution on 23.07.2025**.** It is next submitted that nonappearance of the petitioners on 23.07.2025 was neither deliberate nor intentional. It is also submitted that the petitioners have very good grounds to agitate in the said W.P.C. No.4568 of 2005 and unless the same is restored to its original file, the petitioners will be highly prejudiced. Hence, it is submitted that the W.P.C. No.4568 of 2005 be restored to its original file.

Considering the aforesaid submission of the learned counsel for the petitioners and the facts and circumstances of this case, W.P.C. No.4568 of 2005 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 W.P.C. No.4568 of 2005 before the concerned Bench after a week.

This Civil Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

06/11/2026
Abhiraj/