IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr.M.P. No.2630 of 2026

Amitava Sen, age about 62 years, Son of Late Arbind Sen, Resident of Sen Cottage, S.C. Sen Road, P.O. & P.S. Purulia, District – Purulia (West Bengal)

… Petitioner

Versus

1. The State of Jharkhand
2. M/S S.S. Construction and Services, A proprietorship firm, having its office at Flat No. 2A, Silver Sand Phase III, Urban Enclave, Hurlung, Jamshedpur, District – East Singhbhum, Jharkhand – 831004, being represented through its proprietor, Shashi Shekhar, Son of Late Chandra Shekhar Prasad Singh, P.O. – East Singhbhum, P.S. – Birsanagar, District – Jamshedpur, Jharkhand.

… Opposite Parties

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Ms. Khushboo Kumari, Advocate
For the State : Mrs. Priya Shrestha, Spl.P.P.
For the O.P. No.2 : None

Order No:-03 Dated:-30-10-2026

Heard the parties.

Though notice has validly been served upon the opposite party No.2 yet no one turns up on behalf of the opposite party No.2 in spite of repeated calls.

This Criminal Miscellaneous Petition has been filed by the petitioner with the prayer for restoration of Cr.M.P. No. 681 of 2025 to its original file which stood dismissed for non-compliance of the peremptory vide order dated 11.02.2026.

Learned counsel for the petitioner submits that Cr.M.P. No. 681 of 2025 was dismissed for non-compliance of the peremptory vide order

dated 11.02.2026. It is next submitted that prayer to amend Cr.M.P. No. 681 of 2025 was allowed and the petitioner was directed to file the consolidated Cr.M.P. within two weeks but due to some bonafide mistake, the said consolidated Cr.M.P. could not be filed within the stipulated time; which resulted in dismissal for non-compliance of the peremptory vide order dated 11.02.2026. It is further submitted that non-compliance of the peremptory vide order dated 11.02.2026 was neither deliberate nor intentional. It is also submitted that the petitioner has very good grounds to agitate in the said Cr.M.P. No. 681 of 2025 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. 681 of 2025 be restored to its original file.

Learned counsel for the State has not raised any serious objection to the prayer of the petitioner.

Considering the aforesaid submission of the learned counsel for the petitioner, Cr.M.P. No. 681 of 2025 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 Cr.M.P. No. 681 of 2025 before the appropriate Bench after a week.

This Criminal Miscellaneous Petition is disposed of accordingly.

(Anil Kumar Choudhary, J.)

Dated:-30.10.2026
Saroj/